

## Jim Guthrie

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## COMMITTEES

Chairman - Agricultural Affairs  
Commerce & Human Resources  
Resources & Environment

March 5, 2020

Joint Legislative Oversight Committee  
Idaho State Capitol  
700 W. Jefferson St.  
Boise, Idaho 83702

ATTN: Rakesh Mohan, Director  
*via Email: [rmohan@ope.idaho.gov](mailto:rmohan@ope.idaho.gov)  
and via Hand Delivery*

RE: Request for Evaluation  
Driver Verification Cards

Dear Co-Chairs Harris and Rubel, and Members of the Committee:

Motorized transportation of people and products is an essential part of Idaho's economy and way-of-life. Driver education, driver skills verification and mandatory vehicle insurance are ways that we enhance the safety of our public highways. A licensing program for driver's also helps law enforcement as they patrol the highways and interact with people. Increasingly in Idaho, as in the rest of the Nation, we are faced with a significant population of residents not authorized to live or work in the United States. Yet, these people undoubtedly travel and move about on Idaho's highways and in our communities.

As part of the Legislature's responsibility to promote the public health and safety of all Idaho residents, we are interested in learning more about the significance of this issue, and the extent to which adopting a driver authorization program for undocumented residents would promote public health and safety. We believe data from other states may aid and assist in this endeavor to inform the Legislature as it crafts public policy. Fifteen states and the District of Columbia have adopted a system to authorize undocumented residents to operate a vehicle. We appreciate the opportunity to request a study to be done by the Office of Performance Evaluation regarding the issue of "**Driving Verification Cards**". In support of this request we offer the following remarks.

**State the Problem.** Under present Idaho law, an undocumented resident cannot obtain a driver's license, own or register a motor vehicle, or get the vehicle insured. This creates a problem inasmuch as Federal immigration law and policy, and poor enforcement thereof, has allowed for the influx of undocumented residents into Idaho and, for that matter, the United States generally. As Congress remains unable or unwilling to enact meaningful Federal immigration reform, we cannot deny that

undocumented residents are assimilating into our communities, undertaking work, raising families, engaging in commerce, and driving on our roads. Undocumented residents are a critical part of the workforce in Idaho. However, their undeniable use of our highways is occurring without competency testing, legal authorization, and presumably without driver or vehicle insurance. This creates significant risks to the public health and safety of Idaho's lawful residents. Because Idaho has no authority to enforce Federal immigration law, we must look to other creative solutions to promote the safety of Idaho's roads.

**Describe the Magnitude of the Problem.** It is difficult to obtain accurate data on the undocumented resident population, for obvious reasons. A study by the Migration Policy Institute suggests Idaho has 30,000 undocumented residents, of which 27,000 are over the age of 18 and all but 2,000 of those adults are employed. These individuals tend to be employed in agriculture, followed by service industries (e.g., hospitality, construction, food and beverage) and then manufacturing (e.g., food processing). This means we may have as much as 25,000 individuals commuting to work each day without driver education, skills testing, legal authorization or insurance. Those not working, we can expect, are still traveling as part of their family life and to engage in commerce. We believe currently available data presents a conservative number of undocumented residents in Idaho, and we expect through in-depth study and upcoming Census data the numbers may be much higher, making the problem of even greater concern.

**Desired Information.** We believe a detailed, and in-depth, OPE study can inform the Legislature and educate legislators as they engage in making important public policy for highway safety on the following topics. With so many other jurisdictions having a driver authorization system for undocumented residents, there should be a trove of data from which to draw.


1. The size of Idaho undocumented resident community, and the impact of that community on Idaho's labor force, GDP and expenditure of public funds.
2. Expected participation in an Idaho Driver Verification Card for undocumented residents.
3. Expected road safety impacts of an Idaho Driver Verification Card for undocumented residents (e.g., hit-and-run accidents, total road accidents, eluding officers, driver identification or identity fraud or license fraud, driving infractions, alcohol offenses).
4. Expected insurance impacts of an Idaho Driver Verification Card for undocumented residents (e.g., number of uninsured drivers, insurance rates or costs, compensable accidents and injuries, use of indigent funds or Medicaid for auto accident injuries).
5. Expected costs of administration and potential state revenue from an Idaho Driver Verification Card for undocumented residents.
6. Expected impacts on the criminal justice system of an Idaho Driver Verification Card for undocumented residents (e.g., prosecutor and public defender time, jail processing, housing and costs, court time and resources).
7. More generally, we are interested in the experiences of other jurisdictions. Any data on hurdles they encountered as they adopted driver authorization programs and how they were able to mitigate concerns. In the spirit of fairness, we want to know what the downfalls might be or if any states have had buyer's remorse.


**Anticipated Use of the OPE Report.** The requested OPE report would be used to educate and inform Idaho's policymakers at the State, county and city levels, and for their anticipated use in development of legislation. Ultimately, and depending upon the information developed by OPE, the intent would be to place in Code an opportunity for Idaho to issue "Driving Verification Cards" to help


mitigate the previously mentioned challenges. Short of that, the above would be extremely valuable information to base other policy decision-making on relative to any immigration reform efforts that could be forthcoming. In addition, the information could help all sectors of society from the law enforcement community, to business and industry, to our citizens.

**Conclusion.** We believe this is an issue that is long overdue to be addressed. The reality is that we have thousands of undocumented residents in Idaho and, as such, we have a road safety and compromised workforce issue. Experience shows that the detail provided in studies done by OPE is invaluable and beyond the scope of what we, as part-time legislators, can accomplish. We would respectfully ask that you give our request your most diligent consideration and would look forward to assisting in any way we can if our request is approved and a study is conducted.


Respectfully submitted,

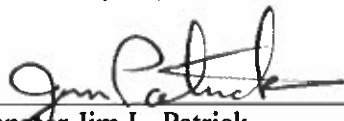
  
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Senator Jim Guthrie  
Chair, Senate Agricultural Affairs Comm


  
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Senator Lee Heider  
Chair, Senate Resources & Enviro. Comm.

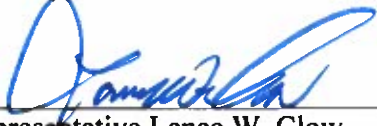
  
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Senator Cherie Buckner-Webb  
Senate Asst. Minority Leader

  
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Senator Michelle Stennett  
Senate Majority Leader

  
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Senator Mark Harris  
Vice Chair, Senate State Affairs Comm.

  
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Senator Jim L. Patrick  
Chair, Senate Commerce & Human Resources Comm.

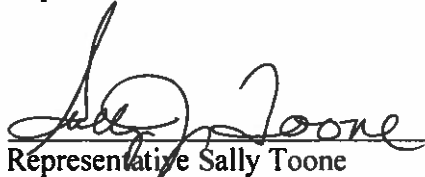
  
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Representative Lance W. Clow  
Chair, House Education Comm.

  
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Representative Clark Kauffman

  
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Representative Kevin Andrus

  
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Representative Elaine Smith

  
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Representative Sally Toone

  
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Representative Laurie Lickley

  
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Representative Jerald Raymond