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ATTORNEY GENERAL RAOUL CONTINUES DEFENSE OF DRIVER'S LICENSES FOR IMMIGRANTS

Chicago — Attorney General Kwame Raoul today joined a coalition of 14 attorneys general in filing an amicus brief defending New York's Green Light Law and the states' right to keep their roads safe by issuing driver's licenses to residents regardless of federal immigration status.

[The brief](#), filed in the U.S. Court of Appeals for the 2nd Circuit, argues that issuing and regulating personal driving credentials is a traditional and effective exercise of states' constitutionally-protected authority to promote residents' safety and health. Regulation of driving privileges has been the exclusive prerogative of the states since the first driver's license law was passed in the U.S. in 1903.

"This law is not only constitutional, but necessary for improving drivers' safety," Raoul said. "Conditioning driving privileges on immigration status does nothing but put road safety at risk in yet another attempt to take rights away from immigrants."

New York's Green Light Law, passed in June 2019, authorizes the issuance of driver's licenses to state residents regardless of immigration status. By passing the Green Light Law, New York became the 15th state or territory to authorize driver's licenses for immigrants. Currently 123 million Americans – 37 percent of all people in the United States – live in a state or territory that issues licenses regardless of immigration status.

Under Illinois law, foreign-born individuals living in Illinois may obtain a Temporary Visitor Driver's License (TVDL). TVDLs are available to undocumented immigrants and visa holders who are unable to obtain Social Security numbers. To be eligible for a TVDL, an applicant must pass vision, written, and road exams and provide proof of identity, residency, and insurance. A TVDL cannot be used to board a plane, enter federal buildings, or for any other official purpose.

In addition to Illinois and New York, 13 other states and territories including California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maryland, New Mexico, Nevada, Puerto Rico, Utah, Vermont, and Washington have enacted laws that grant driving privileges based solely on relevant criteria.

In July, Erie County Clerk Michael Kearns filed a federal lawsuit arguing that federal immigration law overrides state authority to issue driver's licenses to immigrants. Raoul and the coalition filed their first amicus brief in this case in August 2019 in the federal district court for the Western District of New York. That court dismissed the challenge.

Joining Raoul in filing the amicus brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maryland, Nevada, New Jersey, New Mexico, Oregon, Vermont, and Washington.