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Issue Brief: Immigration Status & Discrimination in the United States

Key Words (4-6)

Immigration Status, Undocumented Immigrants, Discrimination, Driver's License, Law

Description (2 Sentences)

This brief will illustrate several different arguments that have been constructed upon the debate as to whether or not undocumented immigrants should be able to test for driver's license. By highlighting the two different sides of this debate, it will be shown how a driver's license can be used as discrimination against an undocumented immigrant.

Key Points (4-6)

- Allowing undocumented immigrants to have driver's licenses can raise the public safety of a community.
- A driver's license can be used as a form of discrimination against an undocumented immigrant.
- Several states have changed their policies on a federal level to allow undocumented immigrants the opportunity to receive driver's licenses.
- As time passes, more states will continue to make decisions as to whether or not undocumented immigrants should receive driver's licenses.

Brief (500-700 Words)

For many years, the discussion on immigration has been a prevalent one. In doing research on immigration status and discrimination, it is found that there are many different areas these two topics intersect. One of the areas is the debate of driver's licenses for undocumented immigrants. The debate whether undocumented immigrants should have driver's licenses or not can be seen as a microcosm of a larger debate for rights for undocumented immigrants.

With many undocumented immigrants driving, one side of this debate holds that those who drive should be able to learn and test for the rules of driving in order to obtain a driver's license. Obtaining driver licenses would be beneficial for both the individual and their community. According to a 'Fact Sheet' by the National Immigration Law Center, if an unlicensed driver is in an accident, it could potentially lead to the driver leaving the area of the accident. Hit-and-Run accidents increased

by 19 percent in 2001-2003, and traffic safety experts claim this increase was due to “an abundance of unlicensed drivers” and “drivers driving without auto insurance”. This same fact sheet claims that these accidents have cost billions of dollars in insurance losses per year. If an undocumented immigrant had a driver’s license, these numbers would reduce because there would be the right paper work and insurance in the hands of each driver to stay at the area of the accident. Neighborhoods of these immigrant drivers would also benefit, because this would lead to “promoting public safety and protecting [his or her] communities” (Fact Sheet: *Why Denying Driver’s Licenses to Undocumented Immigrants Harms Public Safety and Makes Our Communities Less Secure*, National Immigration Law Center). Using these statistics and facts, it can be argued that undocumented immigrants should obtain licenses because it can lead to a reduction in the numbers of dollars lost in insurance, and better public safety within one’s neighborhood. But this statistical argument does not give everyone comfort with the idea of undocumented immigrants having driver’s licenses.

A driver’s license can be used as discrimination against an undocumented immigrant. In 2014, in Bell, California, a meeting was held in the Department of Motor Vehicles to discuss California’s decision to allow undocumented immigrants to test for driver’s licenses. Ian Lovett, author of the article, “California Driver’s License Program Hits an Unexpected Hurdle”, observes that in this meeting, “one person after another stepped to the microphone and expressed fear that the licenses, far from helping them, could instead be used to deport them”. There is a fear that because driver’s licenses provided to undocumented immigrants look different than those issued to other drivers, it would be used to single them out. According to Mary Wisniewski, writer for the Huffingtonpost, the “special license cost \$30 and will have a purple border, as opposed to the red border of ordinary licenses” (Illinois Driver’s License Tests for Undocumented Immigrants Begin).

In Figure 1, the difference between the traditional red border, and the new purple one for undocumented immigrants can be observed. Along with this fear is the question of identification. If undocumented immigrants must provide identification, after having been away from their country for several years, there

might not be valid proof of identification that the department of motor vehicles would accept.

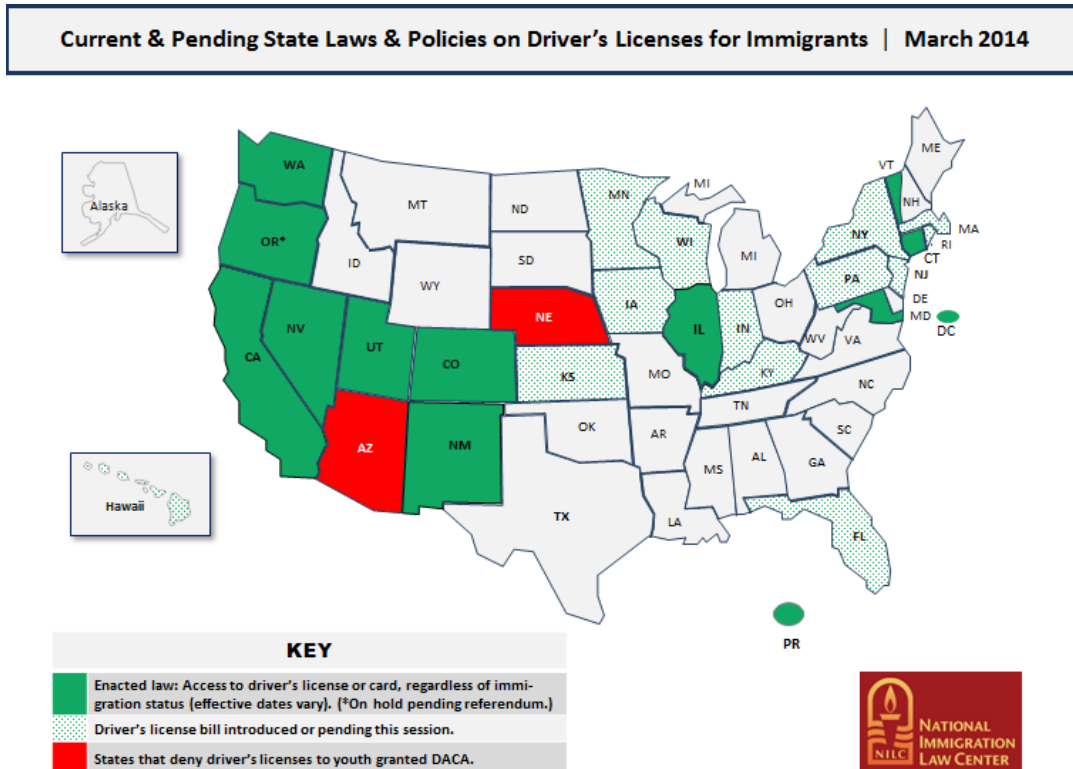
In difficulties of addressing this debate at the national level, several states have taken it into their own hands to address this debate and have enacted their own laws to give undocumented immigrants driver's license. By 2015, California will issue licenses to undocumented immigrants. Illinois had begun issuing road tests for the driver's license in December 2013. Similar decisions within several states can be seen in the map below in figure 2, where three types of states are highlighted: (1) States with the enacted law, (2) States that deny driver's license to youth granted DACA, and (3) states that have made no decision on the mentioned debate. With several states taking the action to enact these laws, it is important to pay close attention to this debate, for it is a debate that serves as a microcosm to the larger debate between undocumented immigrants and discrimination in the United States.

Figure 1¹



¹ Wisniewski, Mary. *Illinois Driver's License Tests For Undocumented Immigrants Begin*, 2013. Accessed on March 5, 2014.

Figure 2²



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² The National Immigration Law Center. 2014.

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Latinos United For Immigration Reform: Our Principles

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