

DRIVER'S LICENSES FOR ALL MICHIGAN RESIDENTS

Legislative Information Packet

**DRIVE
MICHIGAN
FORWARD**

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Driver's Licenses for All Michigan Residents

FAQ

1 Why do driver's licenses for all matter?

Many people who already have access to driver's licenses take them for granted, but driving is essential to everyday participation in society. All Michigan residents need to travel to work, school, church, medical appointments, shop for groceries, and to purchase goods and services out of their immediate areas, but far too many communities lack access to reliable public transportation, making driving a necessity.

We cannot say we need immigrants to participate in our workforce on the one hand, but deny them the means of transportation to do so on the other. It is a matter of fairness, dignity and justice.

Immigrants create so much of what makes our beautiful state one that people want to live in. Driver's licenses for all is about recognizing that immigrants are people who deserve safety, and the ability to move around freely like everyone else. With the ability to drive to work, school, and other beautiful places in our state, undocumented folks can participate in society without the fear of being separated from their families.

3 How will driver's licenses for all make our roads safer?

Driver's licenses will increase safety on the roads. When people are able to get licenses that means that they will:

- Complete driver's license training and testing, improving road safety for all.
- Have access to car insurance, which means that they are more likely to stop when they get into a traffic accident.
- Be able to take driving lessons to learn how to better follow traffic laws.
- Have better interactions with police if they are pulled over for something as simple as a faulty brake light.
- Feel safer running errands without the fear that they will be separated from their families if they are pulled over.

2 Who benefits from driver's licenses for all?

DACA recipients, undocumented immigrants, legal immigrants who haven't received their verification documents because of bureaucratic delays, rural and elderly people who don't have birth certificates, citizens born abroad, and foreign adoptees all directly benefit.

Most importantly, all Michiganders benefit from this legislation. We are all better off when our neighbors are taken care of - and the roads are much safer.

4 How will extending driver's licenses to all Michigan residents impact our economy?

First, undocumented folks already pay taxes.

Second, the influx of fees associated with obtaining a driver's license will actually mean more revenue for the Secretary of State's office to pay for other services that all Michiganders rely on. According to a study done by Michigan League for Public Policy (MLPP) in 2021, Michigan's \$100 billion agricultural industry needs workers with reliable transportation. An estimated 5 percent of the state's immigrants work in this industry. The Michigan Farm Bureau endorses driver's licenses for all.

With reliable transportation, all Michigan residents will be able to secure better jobs, work more hours, travel farther to meet employers' labor needs and purchase goods and services. All that will mean more tax revenue for Michigan.

MLPP's research also found that an estimated 55,000 new driver's licenses will be issued, and 20,000 vehicles will be purchased, resulting in \$13.5 million in revenue in the first three years. In addition, \$12 million in annual revenue will be generated from sales and gas taxes, resulting in \$100 million in revenue over 10 years.



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Sources:
Michigan Immigrant Rights Center,
Michigan League for Public Policy

Driver's Licenses for All Michigan Residents

FAQ

continued

5 What will happen to auto premiums if we allow all Michigan residents to obtain driver's licenses?

Current drivers will see a modest decrease by \$20 in their annual auto insurance premiums due to an increased pool of drivers.

A study by the Michigan League for Public Policy has shown that the average auto insurance costs are lower in states that allow all residents, regardless of immigration status, to obtain driver's licenses than in states that do not.

7 Besides immigrants, what other groups in Michigan are impacted by our state not having driver's licenses for all?

Individuals on lapsed visas during the renewal process; the children of U.S. service members who are born on foreign bases; the elderly, the homeless and the previously incarcerated who may have lost records.

9 Why don't immigrants have access to driver's licenses now?

Undocumented immigrants had access to driver's licenses until 2008, so this concept is not new. Our immigration process is complex and burdensome. Many people who are undocumented are in the process of getting work visas and becoming citizens and need driver's licenses for everyday tasks in the meantime.

6 What other non-citizen groups are already allowed to drive in Michigan?

Permanent residents (green card holders), international students, international nationals with work permits, tourists with a valid foreign driver's license from a treaty country along with an international driving permit or a translation of the license with a color photo.

8 How can driver's licenses be restored for all Michigan residents?

Driver's license legislation was first introduced in 2016 and again in 2017. The Drive SAFE bills, which would restore driver's licenses to all Michiganders, regardless of immigration status were introduced in 2019 and again in 2021, but have not passed, despite support from various business, farming, labor union, legal and advocacy groups.

Michigan legislators need to sponsor, reintroduce and vote YES on the Drive SAFE bills in the 2023 legislative term.



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Sources:
Michigan Immigrant Rights Center,
Michigan League for Public Policy



TAKING OUR FOOT OFF THE BRAKES: WHY DRIVER'S LICENSES FOR ALL MAKES SENSE

Simon Marshall-Shah, Policy Analyst | Updated September 2021

Executive Summary

The Michigan Legislature has before it a package of bills that would allow all Michigan residents—including undocumented immigrants and those who cannot prove their legal presence—the opportunity to obtain a driver's license or state identification card. The Drive SAFE (Safety, Access, Freedom and the Economy) bills,¹ introduced by Representatives Padma Kuppa (D-Troy) and Rachel Hood (D-Grand Rapids), along with Senators Stephanie Chang (D-Detroit) and Winnie Brinks (D-Grand Rapids), would bring Michigan law up to speed with that of 18 other states and territories² that allow residents who meet all other requirements to obtain a driver's license.

Until 2008, all Michiganders had the ability to obtain a driver's license after passing a driver's test and meeting other requirements. After 2005, many states amended their driver's license laws following the REAL ID Act, which established standards for driver's licenses and documents used for federal purposes (like boarding a plane in the United States). In late 2007, Michigan Attorney General Mike Cox issued an opinion that stated undocumented immigrants in Michigan should not be considered residents and therefore were not eligible for driver's licenses.³

In 2008, the Secretary of State complied with the opinion and the state Legislature codified this opinion into law.

If the Drive SAFE legislation were to become law, the Michigan League for Public Policy estimates that over the

course of three years, 55,000 Michiganders would apply for a driver's license, leading to 20,000 vehicle purchases. Reinstating driver's licenses for undocumented immigrants would boost state revenue by \$13.5 million and contribute \$12 million in recurring revenue, \$9 million of which would be from sales and gas taxes related to vehicle ownership. Over the course of 10 years, this policy would generate nearly \$100 million for the state of Michigan. This revenue would offset Secretary of State costs for staffing, including training and translation services.⁴ Additional benefits of this legislation include:

- **20,000 more Michigan drivers would be insured and have passed driver's tests.** To register a passenger vehicle in Michigan, one must have auto insurance. Roads are safer and accidents are resolved more smoothly when more drivers have passed a standardized driving test and are insured.

Benefits of Passing the Drive SAFE Bills



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Our undocumented neighbors are business owners, parents, employees and caregivers. Allowing access to a driver's license means that those who do obtain one can engage in their communities, participate in our state economy more fully and complete everyday tasks without fear.

- **Michiganders would see their annual auto insurance premiums go down by approximately \$20.** When more drivers are insured, everyone's cost of auto insurance decreases. Across the country, states that allow undocumented immigrants to apply for driver's licenses see lower annual premiums; doing so in Michigan would save Michiganders about \$20 a year. Although this is a modest decrease, that is enough to pay for a car wash in the thick of Michigan winter!
- **55,000 more Michiganders would be able to accomplish everyday activities more easily and with dignity.** Our undocumented neighbors are business owners, parents, employees and caregivers. Allowing access to a driver's license means that those who do obtain one can engage in their communities, participate in our state economy more fully and complete everyday tasks without fear.
- **More residents would participate in Michigan's local economy.** Allowing undocumented immigrants to apply for driver's licenses would support Michigan's booming agricultural industry. In addition, access to a driver's license means access to amenities and opportunities beyond one's immediate community, including new businesses and higher-paying jobs.

Uptake and Increased Revenue

Within three years of implementation, an estimated 55,000 of the 110,000 Michigan residents who cannot prove their legal presence and are of driving age would apply for a driver's license.⁵ These new licenses would bring in \$1.4 million in fees to the state over this time frame.

Among those newly eligible to obtain a driver's license, an estimated 20,000 people would purchase a car. Vehicle registrations, titles and license plates would generate \$3 million over the course of the first three years of implementation. Annual vehicle registrations for these newly registered vehicles would generate \$2.7 million each year.

Sales and gas taxes would increase by \$1.6 million and \$7.5 million, respectively, in the first three years of implementation. These estimates are recurring revenues based on individual-level consumption for the average driver in Michigan. Although sales taxes on car-related purchases may shift spending from other types of goods and services, this estimate only considers additional spending on motor vehicles and parts and does not take into account additional spending based on increased mobility or wages. Over a 10-year period, changes implemented through the Drive SAFE bills would generate nearly \$100 million in revenue for the state of Michigan.

Public Safety

Under current law, accomplishing daily tasks while unlicensed is dangerous not only for drivers but for everyone on the road. Over a two-year period, the AAA Foundation for Traffic Safety found that one in five fatal crashes involved an unlicensed or invalidly licensed driver.⁶ In addition, AAA found that while most drivers did not leave the scene of a crash, unlicensed drivers did so nearly 10 times more often compared with validly licensed drivers. Analysis of a decade's worth of pedestrian-motor vehicle fatal crashes exemplifies this behavior, revealing that an invalid license was a leading factor associated with a hit-and-run specifically.⁷ Therefore, removing this incentive for some drivers to flee

will likely decrease hit-and-runs in Michigan. What's more, research on this issue has demonstrated that undocumented immigrants across states are already careful drivers—and are even safer drivers in states that allow them to obtain a license.⁸ Data from California substantiates this trend: after allowing undocumented immigrants to obtain driver's licenses, county rates of collisions remained constant, yet the rate of hit-and-run crashes decreased after the law was changed to allow everyone access to a driver's license.⁹ The collective safety of our Michigan roads would only improve if undocumented immigrants were allowed to pass a driver's test, obtain a license and have auto insurance.

Auto Insurance premiums

In addition to benefiting from safer roads, current drivers would see a modest decrease in their annual auto insurance premiums. With more licensed drivers will come more registered vehicles; for people purchasing auto insurance in Michigan, the cost of insurance would decrease. In addition, the average auto insurance costs are lower in states that allow undocumented immigrants the ability to obtain driver's licenses compared with states that do not.¹⁰ One robust model analyzed over a decade's worth of data across states and determined that on average, in states that lifted restrictions on driver's licenses for undocumented immigrants, all drivers' annual cost of insurance decreased by \$20.¹¹

Everyday Impact

Allowing the 110,000 Michigan residents who cannot prove their legal presence to apply for a driver's license will undoubtedly make daily tasks easier and safer for those who do obtain one. These activities include getting groceries, visiting family members in the hospital, taking children to receive a vaccination, driving to church and leasing business space. Access to state-issued identification means that undocumented Michigan residents can regularly participate in our state economy more fully. Restricting opportunity to travel easily not only changes individuals' and families' driving habits by narrowing their radius of travel but also restricts their ability to shop locally and contribute to the state economy.¹²

Local Economy

Michigan's \$100 billion agricultural industry benefits greatly from immigrants, including migrant farm workers. In fact, 20% of all Michigan workers in farming, fishing and forestry are immigrants.¹³ An estimated 5% of undocumented laborers in Michigan are working in these occupations.¹⁴ It is not surprising that because of this representation and the need for all employees to get to and from work easily and safely, the Michigan Farm Bureau supports the state allowing access to driver's licenses for undocumented immigrants.¹⁵ Additionally, access to a driver's license affects the amount of money Michiganders earn and spend. When people can more easily get to and from their jobs, they are able to work more hours and earn more money. With improved mobility among workers, the labor market would function more smoothly because employees would be able to more easily find jobs—including higher-paying ones that better match their skills—and employers would have a larger pool of applicants to choose from when filling positions.¹⁶ Furthermore, those without driver's licenses may be limited in both the regions in which they shop (primarily near home or work, e.g.) and purchases that

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require identification, such as new vehicles, medication, alcohol or cigarettes. On the other hand, residents with driver's licenses will likely broaden the range of businesses they buy from and increase the amount of money spent locally in Michigan.

Methodology

Number of undocumented immigrants of driving age and the number who would obtain a driver's license during the first three years of implementation

Before narrowing to the number of undocumented immigrants of legal driving age, we begin with the weighted average of two estimates of the total number of undocumented immigrants in Michigan from the Center on Migration Studies¹⁷ (CMS) and the Pew Research Center.¹⁸ The weights applied are based on what percentage of the total Michigan population (9,995,915 in 2018 as reported by the U.S. Census Bureau) is undocumented according to these two estimates. The CMS estimate uses microdata from the Integrated Public Use Microdata Series (IPUMS) that is reported through the 2017 American Community Survey (ACS) and is recognized as a reliable estimate of local-level data. The Pew estimate is 2017 data based on augmented U.S. Census Bureau data. Our weighted average was 115,590 people.

To estimate the total number of undocumented immigrants who are eligible for a driver's license because they are 16 years old or older, we first estimate the percentage of the total undocumented population in Michigan who are in this age range. Based on CMS' estimate for the number of undocumented immigrants who are 16 years or older (108,978)—legal driving age in Michigan—we calculated the percent of the undocumented population in this range in both the CMS and Pew data. We use the weighted average of these two percentages to obtain our final estimate that 94.48% of 115,590 undocumented immigrants are over the age of 16. This results in 109,211 undocumented immigrants who are residents of Michigan and are of driving age.

We estimate a 50% take-up rate for driver's licenses among undocumented immigrants in Michigan within the first three years of implementation, resulting in 54,606 new driver's licenses issued during this timeframe. This take-up rate is based on the experiences of other states that have passed legislation to allow undocumented immigrants to obtain driver's licenses,¹⁹ estimates from other states on driver's license take-up and data on Michigan drivers. After two full years of implementation, three out of five states reporting saw between 34% and 40% take-up (34% in California, 36% in Washington, D.C., and 40% in Illinois). Of states that had reported a full three years of implementation, Nevada, which had low take-up rates across all three years, saw 25% take-up and Illinois saw a jump to 47% take-up. Based on these take-up rates, the Fiscal Policy Institute in New York conducted a robust fiscal analysis on the impact of lifting restrictions on driver's licenses using an estimated 50% take-up.²⁰

We compare Michigan data with that of Illinois and New York in particular to establish our take-up rate. All of these states have a high number of lane-miles, or miles of roads that are intended for driving. This is evidenced by the estimated lane-miles in each state as reported by the Federal Highway Administration in 2018: out of all states, Illinois ranks third (307,000 miles) and New York ranks 12th (239,000 miles); Michigan ranks between

those states at 10th with 256,000 miles.²¹ This is not surprising given much of these states is made up of rural area and farmland, and would require a vehicle to access.

Although Michigan may be similar to Illinois and New York in terms of lane-mileage, the availability of public transportation will influence how many residents use cars and apply for a driver's license. Both Illinois and New York have extensive public transportation systems in Chicago and New York City, respectively, which is something Michigan lacks. Yet, this availability did not impede the three-year take-up rate in Illinois (nor did it in appear to in Washington, D.C., which is entirely urban and whose transit system is also notably robust). The New York analysis notes that 57% of New York City adults do have a driver's license, which is taken into account when establishing their estimated 50% take-up rate. Because Michigan does not have as extensive a public transportation system as Illinois, Washington, D.C., or New York, we would expect that the take-up rate for driver's licenses would be higher in Michigan given that access to an alternative form of transportation is not as much a limiting factor.

Finally, the proportion of current adult drivers in a state provides context for the utility in having, and interest in obtaining, a driver's license. Based on data from the Federal Highway Administration and the U.S. Census Bureau, 79% of adult residents in New York have a driver's license and 86% of adults in Illinois do; in Michigan, this number is 91%. A higher proportion of adults currently driving in Michigan compared with Illinois and New York is another reason that we would expect our take-up rate for driver's licenses among the undocumented community to be a conservative estimate that is comparable to that of the higher end of the observable three-year data.

Number of new cars on the road

To project the number of new cars purchased and registered in Michigan, we assume 36.6% of those who obtain driver's licenses would purchase a car.²² This percentage is based on the Fiscal Policy Institute in New York's analysis of CMS IPUMS data (2010-2013), which looks at vehicle ownership in other immigrant households.²⁰ This analysis assumes that given access to driver's licenses, undocumented immigrants would purchase vehicles at the same rate when also taking into account household income. Applying this percentage to the number of additional licenses expected in the first three years of implementation projects 19,986 newly registered vehicles in this timeframe.

Revenue estimates

As is outlined in the table below, projected revenue over the course of 10 years post-implementation would include fees from additional driver's licenses (and renewals), vehicle registrations (and renewals), vehicle titles, vehicle license plates, and sales and gas taxes related to vehicle use. As noted in the report, sales tax here includes that which is applied to motor vehicles and parts, but not that which is applied to other purchases made by new drivers that would also be subject to sales tax. These would likely increase with greater mobility and higher wages. Any additional assumptions are included below.

Revenue from the first three years of implementation

All Michigan driver's licenses are initially \$25; we multiplied this amount by the projected number of additional licenses issued. We also multiplied the fees for a vehicle title (\$15), standard license plate (\$5) and average vehicle registration (which is estimated at \$135 by the Michigan Department of Transportation²³) by the projected number of additional vehicles purchased in the first three years of implementation.

Additional revenue from sales and gas-related taxes (i.e., gas tax and sales tax on gas) are estimated using individual-level consumption data. Based on 2018 Bureau of Economic Analysis (BEA) total per capita personal consumption expenditures in the state of Michigan, residents spend \$1,299 per year on motor vehicles and parts (defined as “purchases of new motor vehicles, net purchases of used motor vehicles, and purchases of motor vehicle parts and accessories”).²⁴

It is important that we consider income in this part of our analysis, as well. Based on the CMS 2017 IPUMS data, an estimated 23.5% of undocumented immigrants in Michigan have an income that is at or below the federal poverty level (\$12,140 for a single adult). To examine vehicle-related purchases and consumption by income and determine whether consumers with lower incomes spend substantially less on vehicles than is captured in the BEA estimate, we use the 2018 Consumer Expenditure Survey, which provides data on expenditures, income and demographic characteristics of consumers in the United States.²⁵ Based on the survey data, those who earned \$11,695 after taxes (income in the lowest 20% for survey respondents) spent an average of \$1,253 on vehicle purchases. Because this amount is so similar to the Michigan-specific BEA estimate, we multiply the BEA estimate of \$1,299 in annual expenditure by the projected number of new vehicles purchased and apply the 6% sales tax. Note this does not include any specific “check engine repairs” as sales tax is not paid on labor in Michigan, and parts are included in the BEA estimate.

Our analysis of gas-related taxes assumes the additional 20,000 cars that are registered were built in the last decade. The Corporate Average Fuel Economy (CAFE) standard for new vehicles is reported by the Bureau of Transportation Statistics in miles per gallon (mpg).²⁶ The average mpg, taking into account both passenger cars and light trucks, from 2009 to 2016 (most recent data) is 28.9 mpg. (Note that if the cars purchased are older, this average mpg would decrease, in turn raising projected expenditure on gas and increasing related revenue; if newer, the reverse.) The Federal Highway Administration estimates that the average driver drives 13,500 miles per year.²⁷ These numbers give us 467.13 gallons per year in gas consumption for the average vehicle made from 2009-2016. Using a point-in-time estimate based on the average prices in November 2019, we assume the price of gas is \$2.50 per gallon and the average driver will spend \$1,167.82 on gas per year. Applying Michigan’s 26.3 cent-per-gallon gas tax, the average driver will contribute \$307.14 in taxes on gas to the state of Michigan per year. By multiplying this amount by the projected number of new vehicles purchased, we obtain our estimated increase in gas taxes over the first three years of implementation. To obtain an annual amount of sales tax on gas per average driver, we multiply the amount spent on gas per year per consumer by 6% sales tax (\$70.07). We multiply this amount by the projected number of new vehicles purchased to obtain the estimated additional sales tax revenue from gas purchases in the first three years of implementation.

Revenue compared to additional costs

To keep up with an increase in the number of Michigan residents who seek to obtain driver’s licenses and register vehicles, the Secretary of State will be required to increase its staff and provide training across the state. There are a number of states whose experiences we can draw from in estimating these costs. For example, Maryland projected

230,000 new licenses would be issued over a four-year period, requiring 10 permanent and 55 temporary staff, and estimated its costs at \$8.8 million. Illinois projected it would issue from 250,000 to 1 million new licenses, hire 100 people (including call operators for appointments) and require \$800,000 in the first year and \$250,000 annually thereafter.²⁸ Based on the estimated number of new licenses that would be issued in Michigan—55,000, or approximately one quarter of what Maryland and Illinois predicted—the projected revenue would easily compensate for any additional costs, including staffing, outreach and translation services.

Annual revenue and 10-year estimate

Driver’s licenses must be renewed every four years in Michigan, at \$18 per renewal. As it is likely that most of those who obtained a driver’s license in the first three years of implementation will have renewed their license twice in 10 years, our 10-year estimate assumes that the all of the 55,000 newly licensed Michiganders have done so (just under \$2 million in renewal fees). Fees for vehicle titles and standard license plates are paid once.

Vehicles must be registered in Michigan annually. We assume the same vehicle registration cost at \$135 and that all drivers are again registering their vehicles. Note this does not take into account any additional vehicles that these drivers may register in any given year. Sales tax and gas-related taxes (see *Revenue from the first three years of implementation*, above) are annual sources of revenue and these numbers are reflected as such in the table below.

Summary of Revenue Projections for Michigan Under Drive SAFE Bill

	Fee	Additional Licenses in MI	Additional Vehicles in MI	Recurrent Fee	First 3 Years	Following Years (4 - 10)	After 10 Years
Driver's License	\$ 25.00	55,000		\$18.00 (every 4 yrs)	\$ 1,375,000		\$ 3,355,000
Vehicle Registration	\$ 135.00		20,000	\$135.00	\$ 2,700,000	\$ 2,700,000	\$ 21,600,000
Vehicle Title	\$ 15.00		20,000		\$ 300,000		\$ 300,000
Standard License Plate	\$ 5.00		20,000		\$ 100,000		\$ 100,000
Sales Taxes			20,000		\$ 1,560,000	\$ 1,560,000	\$ 12,480,000
Gas-related Taxes			20,000		\$ 7,540,000	\$ 7,540,000	\$ 60,320,000
				TOTAL	\$ 13,575,000	\$ 11,800,000	\$ 98,155,000

Source: Michigan League for Public Policy analysis using Secretary of State fees for driver’s licenses, vehicle titles and standard license plates. Vehicle registration fee uses Michigan Department of Transportation 2019 estimates. See *Methodology* for estimates of additional licenses and vehicles in Michigan as well as sales and gas-related tax estimates. 10-year estimate includes two renewals per each driver’s license issued in the first three years and does not include newly licensed drivers registering more than one vehicle. Amounts independently rounded.

Endnotes:

1. Michigan Legislature, House, HB 4835, introduced May 13, 2021, <https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4835.pdf>.
2. Along with the District of Columbia and Puerto Rico, 16 states already provide access to a driver's license or state identification card. These include: California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Nevada, New Jersey, New Mexico, New York, Oregon, Utah, Vermont, Virginia and Washington.
3. Attorney General Mike Cox, "Permanent Residency Requirement for Driver's Licenses, Opinion No. 7210," Michigan Department of the Attorney General, December 7, 2007, <https://www.ag.state.mi.us/opinion/datafiles/2000s/op10286.htm>.
4. See Methodology for information regarding costs of implementation.
5. See Methodology for data sources and estimates of the number of undocumented immigrants, uptake of licenses and vehicles and revenue generated from driver's licenses, car registration, sales tax and gas tax.
6. "Unlicensed to Kill," AAA Foundation for Traffic Safety, November 2011, <https://www.adtsea.org/webfiles/fnitools/documents/aaa-unlicensed-to-kill.pdf>.
7. Kara E. MacLeod et al., "Factors associated with hit-and-run pedestrian fatalities and driver identification," *Accident Analysis & Prevention* 45 (2012), <https://doi.org/10.1016/j.aap.2011.08.001>.
8. J. Alejandro Tirado-Alcaraz, "Issuing Driver's Licenses to Undocumented Immigrants in Rhode Island: Policy Analysis," p. 21, Latino Policy Institute at Roger Williams University, June 2016, https://www.rwu.edu/sites/default/files/downloads/lpi/drivers-license_report-legal.pdf. Using a regression analysis, the author identifies a statistically significant correlation between the percentage of undocumented immigrants in a state and the number of traffic fatalities—states with more undocumented immigrants saw fewer traffic fatalities. Further, after stratifying states by whether or not they allow undocumented immigrants to obtain a driving document (a driver's license, e.g.), the study finds fewer traffic fatalities, on average, among states that do not restrict driving documentation based on immigration status compared with states requiring either documented legal presence or a valid SSN.
9. A. J. Benson et al., "Hit-and-Run Crashes: Prevalence, Contributing Factors, and Countermeasures," AAA Foundation for Traffic Safety, 2017, https://aaafoundation.org/wp-content/uploads/2018/04/18-0058_Hit-and-Run-Brief_FINALv2.pdf.
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11. Mauricio Cáceres and Kenneth P. Jameson, "The effects on insurance costs of restricting undocumented immigrants' access to driver licenses," *Southern Economic Journal* 81, no. 4 (2015), <https://doi.org/10.1002/soej.12022>. This savings is statistically significant and this estimate is adjusted for inflation from \$2009 to \$2019.
12. Mary C. King, "Assessment of the Socio-economic Impacts of SB 1080 on Immigrant Groups," Oregon Department of Transportation, June 2011, <https://www.oregon.gov/ODOT/Programs/ResearchDocuments/SB1080.pdf>.
13. Analysis of the U.S. Census Bureau's 2015 American Community Survey 1-year PUMS data by the American Immigration Council, October 13, 2017, <https://www.americanimmigrationcouncil.org/research/immigrants-in-michigan>.
14. Based on Center for Migration Studies estimates derived from the U.S. Census Bureau's 2017 American Community Survey 1-year PUMS data, accessed November 8, 2019, <http://data.cmsny.org/state.html>.
15. "Policy & Politics: Limited Purpose Operator's License #100," Michigan Farm Bureau, accessed November 8, 2019, https://www.michfb.com/MI/Policy_and_Politics/Policies/Transportation/Limited_Purpose_Operators_License/. This policy can also be found in the Michigan Farm Bureau 2019 Policy Book, accessible here: https://www.michfb.com/MI/uploadedFiles/Content/Policy_and_Politics/Farm_Bureau_Policy/2019%20POLICY%20BOOK%20-%20Digital.pdf.
16. Sarah E. Hendricks, "Living in Car Culture Without a License," American Immigration Council, April 2014, https://www.americanimmigrationcouncil.org/sites/default/files/research/living_in_car_culture_without_a_license_3.pdf.
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18. "Unauthorized immigrant population trends for states, birth countries and regions," Pew Research Center: Hispanic Trends, June 12, 2019, <https://www.pewresearch.org/hispanic/interactives/unauthorized-trends/>.
19. David Dyssegaard Kallick and Cyierra Roldan, "Take-Up Rates for Driver's Licenses: When Unauthorized Immigrants Can Get a License, How Many Do?" Fiscal Policy Institute, January 31, 2017, <http://fiscalspolicy.org/wp-content/uploads/2017/01/FPI-Brief-on-Driver-Licenses-2017.pdf>.
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21. "Highway Statistics 2017: Estimated Lane Miles," Federal Highway Administration, August 23, 2018, <https://www.fhwa.dot.gov/policyinformation/statistics/2017/hm48.cfm>.
22. Note that new cars means new vehicle purchases, not necessarily a new vehicle model.
23. "Fast Facts 2019," Michigan Department of Transportation, February 2019, https://www.michigan.gov/documents/mdot/MDOT_fastfacts02-2011_345554_7.pdf.
24. "Consumer Spending by State: Personal Consumption Expenditure by State, 2018," Bureau of Economic Analysis, October 3, 2019, <https://www.bea.gov/data/consumer-spending/state>.
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27. "Average Annual Miles per Driver by Age Group," Federal Highway Administration, March 29, 2018, <https://www.fhwa.dot.gov/ohim/onh00/bar8.htm>.
28. "Deciding Who Drives," Pew Charitable Trusts, August 2015, <https://www.pewtrusts.org/-/media/assets/2015/08/deciding-who-drives.pdf>. Both Maryland and Illinois currently allow residents to obtain driver's licenses, regardless of whether they can demonstrate legal presence.



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Immigrants and Michigan Driver's Licenses: Past, Present, and Future

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Looking back: Michigan licenses issued regardless of immigration status

Prior to 2008, Michigan law contained no requirement that an applicant for a driver's license or state ID card needed a specific immigration or citizenship status in order to be eligible. Applicants did have to submit documents that were sufficient to prove their identity, and they had to show that they were residents of Michigan. A 1995 Michigan Attorney General Opinion stated that because the law had no immigration status requirement, an "illegal alien" could not be denied a driver's license on that basis.¹ The opinion also stated that there was no legal reason why an "illegal alien" could not be considered a resident of a state. In December of 2007, Attorney General Mike Cox issued a new opinion that reversed that finding.² The 2007 opinion stated that an unauthorized immigrant cannot be considered a Michigan resident and, in fact, only a Lawful Permanent Resident, sometimes known as a "green card" holder, could be considered a Michigan resident under the law.

Where we are: "legal presence" requirements and use of foreign licenses

The Michigan Secretary of State implemented the 2007 AG opinion in early 2008. It had the immediate effect of denying licenses to all people who were undocumented. In addition, it excluded dozens of categories of legally present noncitizens who live and work in Michigan who have not been granted Lawful Permanent Resident status. To clarify who was eligible for a driver's license, the Michigan Legislature changed the driver's license and state ID laws in February of 2008 to define a "resident" of Michigan as someone who resides in the state and is "legally present." The definition of "legally present" has been changed slightly since 2008, and now references those who are "authorized under federal law" to be in the United States.³ Since Michigan residency is a requirement for a Michigan driver's license, the revised definition of residency also makes "legal presence" a requirement.

While noncitizens without legal presence continue to be denied access to a Michigan driver's license, Michigan recognizes the right to drive with a valid foreign driver's license from certain countries, party to treaty agreements with the United States. Noncitizens with a valid foreign license and translation from a treaty country such as Mexico, Lebanon, India, Korea or Guatemala can legally drive in Michigan, without needing to show legal presence.

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Looking forward: REAL ID & opportunities for new law

¹ OAG No. 6883, available at: <http://www.ag.state.mi.us/opinion/datafiles/1990s/op06883.htm>

² OAG No. 7210, available at: <http://www.ag.state.mi.us/opinion/datafiles/2000s/op10286.htm>

³ Michigan Compiled Laws (MCL) Section 257.307(15)
<https://www.aclu.org/immigrants-rights/one-michigan-v-ruth-johnson>

⁴ MCL Section 257.302a, available at
[http://www.legislature.mi.gov/\(S\(mva1sp4fbjdp2hnd3qpkyyjg\)\)/mileg.aspx?page=getObject&objectName=mcl-257-302a](http://www.legislature.mi.gov/(S(mva1sp4fbjdp2hnd3qpkyyjg))/mileg.aspx?page=getObject&objectName=mcl-257-302a)

⁵ Available at: https://www.michigan.gov/-/media/Project/Websites/sos/10lawensn/Foreign_DL_countries_palm_card.pdf

Beginning May 7, 2025, the federal government will not allow Michigan residents to board domestic flights or enter federal buildings with a Michigan driver’s license or ID card unless it complies with certain federal REAL ID Act requirements. Michigan began issuing these REAL ID cards and licenses in August 2017. Michigan also continues to issue standard IDs and licenses. As of May 7, 2025,, these standard IDs and licenses will not be accepted as a form of federal identification but will continue to be valid for driving and other identification purposes. (Documents like passports, Employment Authorization Documents, and other documents will be able to be used as federal identification by people with standard licenses.) REAL ID licenses for federal identification require proof of “lawful status” and differentiate between temporary and permanent types of status. Michigan’s standard licenses continue to require proof of “legal presence” which is slightly broader. See below for a comparison:

<i>REAL ID license: “lawful status”</i>		<i>Standard License: “legal presence”</i>
<i>Lawful Status</i>	<i>Temporary Lawful Status</i>	<i>Legal Presence</i>
Permanent resident (green card)	Nonimmigrant status	Broader than “lawful status.” Includes all statuses listed to the left. In addition, may include others, i.e. Order of supervision’
Asylee	TPS	Applicant for Cancellation w/EAD
Refugee	Deferred action/DACA	
	Pending applicant for asylum, TPS, or green card	

The Michigan Secretary of State publishes documentation requirements for proving legal presence on its website.⁶ The current list of accepted documents contains serious deficiencies that have created significant issues for applicants, especially when applying for a standard license. The list is overly narrow and fails to differentiate between documents needed for REAL IDs and documents needed for standard licenses. Many advocates have reported that this publication along with lack of appropriate training, have resulted in Secretary of State staff erroneously requiring applicants to present a stamped passport as proof legal presence.

Looking to the future, the State of Michigan could still pass a law allowing standard licenses to be issued without requiring proof of legal presence. The state would still be in full compliance with the REAL ID Act and Michigan-issued REAL IDs would still be valid for federal purposes.

Frequently Asked Questions about Driver’s Licenses for Michigan Immigrants

Does federal law prohibit issuing driver’s licenses to people who are not legally present in the U.S.?

No, it doesn’t. There is a federal law called the REAL ID Act which establishes criteria for driver’s licenses and state IDs to be recognized for “federal purposes” like boarding an airplane or entering a federal building. These REAL ID licenses require proof of lawful status. However, the REAL ID Act also allows states to continue issuing standard licenses, without any immigration status requirements. Michigan currently issues both REAL ID licenses and standard licenses, and could choose to pass legislation eliminating the legal presence requirement for standard licenses while fully complying with the REAL ID Act. Many states have already done this.

Who can change the law in Michigan to allow undocumented immigrants to obtain driver’s licenses?

Only the State Legislature can change the law. The Secretary of State cannot change it on her own and neither can the Attorney General or the Governor. The State Legislature could remove the requirements that applicants show “legal presence” for standard license eligibility and state residency, or it could create a separate type of driving

license or permit for those who do not demonstrate “legal presence.” The Governor would have to sign a bill into law after the State Legislature acted.

⁶ Available at: https://www.michigan.gov/sos/0,4670,7-127-1627_8669_9040_9043-312849--,00.html or in PDF form at https://www.michigan.gov/documents/DE40_032001_20459_7.pdf

Is there a bill pending right now in the Michigan Legislature that would change Michigan law and allow undocumented immigrants to get driver's licenses?

On May 11, 2021, the Drive SAFE (Safety, Access, Freedom, Economy) bills were introduced by the following sponsors:

- Senate Bill 433 - Michigan State [Senator Chang](#) (D), 1st Senate District
- Senate Bill 434 - Michigan State [Senator Brinks](#) (D), 29th Senate District
- House Bill 4835 - Michigan State [Representative Kuppa](#) (D), 41st House District
- House Bill 4836 - Michigan State [Representative Hood](#) (D), 76th House District

The bills would eliminate the legal presence requirement from the definition of Michigan residency and allow all individuals living in Michigan access to a state ID or driver's license, regardless of immigration status.

Is it possible to get a driver's license with just a Social Security number?

No. Michigan law requires legal presence; it does not require that a person have a Social Security number. Being legally present and having a Social Security number are somewhat related but are not the same thing. Some people who are not legally present have Social Security numbers and some people who are legally present do not have them. The law does require that people who do have Social Security numbers provide them to the Secretary of State. Those who do not have them but are legally present can provide documentation from Social Security that they are not eligible for a number.

Can Deferred Action for Childhood Arrivals (DACA) beneficiaries get Michigan driver's licenses now?

Yes, if they have current DACA status.

Can I use a foreign driver's license, from my home country to drive in Michigan?

If you are a U.S. citizen or are legally present and you live in Michigan, you might be required to get a Michigan driver's license. However, if you do not have "legal presence" under current law you are not considered a Michigan resident for purposes of a driver's license, and you may be permitted to drive with a valid foreign license. If your license is from a "treaty country" (see page 4), you can use it to drive legally, if you also carry an "International Driving Permit" or, if that's not available, a translation of your license with a color photo (see page 4). If your license is from a "non-treaty country," you must also have "a valid passport, a valid visa, or other valid documents to verify [your] legal presence in the U.S."⁷

Can I use an International Driver's License to drive in Michigan?

No. However some individuals may be permitted to drive with a *foreign* license (see above). "International Driver's Licenses" don't actually exist. They are often confused with the International Driving Permit (IDP), which is a translation of a current valid driver's license into several languages. The IDP is not valid by itself – it can only be used together with a valid foreign license. There are vendors that purport to offer "International Driver's Licenses" to individuals who are not currently licensed anywhere in the world. That is not possible under the law.

How can I stay informed about changes to Michigan laws affecting immigrants?

Join the Michigan Immigrant Rights Center's email lists by emailing us at mirc@michiganimmigrant.org, like and follow us on Facebook, Twitter, and check our website, www.michiganimmigrant.org frequently!

⁷ MCL Section 257.302a, available at

[http://www.legislature.mi.gov/\(S\(mva1sp4fbjdp2hnd3qpkjg\)\)/mileg.aspx?page=getObject&objectName=mcl-257-302a](http://www.legislature.mi.gov/(S(mva1sp4fbjdp2hnd3qpkjg))/mileg.aspx?page=getObject&objectName=mcl-257-302a)

Data Privacy Talking Points for Legislators: Drive SAFE Bills 2023

Every Michigander needs to be able to drive to work, school, and take care of our families without the fear of being stopped, harassed, or possibly persecuted because of our immigration status. Those protections must be put in writing and strictly enforced.

The new Drive SAFE Bills would:

- Return the ability to apply for licenses and IDs to all otherwise eligible Michiganders, just as it was before this was taken away from the undocumented community.
- Extend the same privacy protections given to current license holders to undocumented communities.
 - For example, the secretary of state or any other state agency shall not sell or furnish any list of people's information for the purpose of surveys, marketing, or solicitations.
- We've also added another layer of protection for the undocumented community, with a new provision that prohibits the secretary of state or any other state agency from providing a bulk list of information about license holders for the purposes of immigration enforcement.



Drive Michigan Forward

Talking Points



Drive Michigan Forward (DMF) is a coalition made up of immigrants and allies. Our goal is to restore driver's licenses to all and pave the way for basic dignity and security for members of our community. By restoring driver's licenses to all Michiganders, regardless of immigration status, we can make Michigan a place where everyone has the opportunity to thrive and belong.

Our Values

Michigan's strength comes from our ability to work together – to knit together people from different places and of different races into a whole. Whether first or fifth generation Michiganders, we all want to be able to provide and care for our families. To do that, we all need to have the right to obtain a driver's license, regardless of how long we've been here or what paperwork we have, and move around without the fear that caring for our loved ones will make us a target.

Articulating Our Vision

It's time to stand up for each other and come together to demand that everyone have a right to obtain a driver's license, regardless of how long they've been here. When we work together and for one another, we can make this a place where freedom is for everyone, no exceptions. Just like we've done time and time again throughout our history.

Extended Points

- This bill is about the parents who need to try and get cold medicine in the middle of the night when their kid has a fever, about taking their kids to school, and having the ability to live everyday, normal lives.
- This is an issue of dignity. (Talk about personal stories like Nelly's friend).
 - A mom had to go to the pharmacy in the middle of the night because her kid had a fever. Not only did she have to find, and wake someone up to take her, she had to make sure whoever took her was able to show a license to buy the medication. It's embarrassing when you have to rely on other people for every aspect of your everyday life.
- With the ability to drive to work, school, and other places, undocumented folks can participate in society without additional fear of being separated from their families for running everyday errands.
- A driver's license is more than just a verification of identity, it's a form of proof that immigrants are people.
- Driving is essential to everyday participation in society.

