



Written by [Raven Clabough](#) on August 31, 2012

California to Issue Driver's Licenses to Illegal Immigrants

The California state Assembly on Thursday voted in favor of a bill that would permit the Department of Motor Vehicles to [issue](#) driver's licenses to illegal immigrants who are eligible for work permits under a new policy handed down from the Obama administration. The bill is on its way to Governor Jerry Brown's desk to be signed into law.



Fox News [reports](#), "Democratic Assemblyman Gil Cedillo [pictured above, next to photo of California's state capitol] of Los Angeles said he wrote AB 2189 to make roads safer, and allow young immigrants to drive to school and work."

The bill passed in California's Assembly by a vote of 55-15 after it passed in California's Senate on Wednesday by a vote of 25-7.

The only other states to issue driver's licenses to undocumented immigrants are New Mexico, Utah, and Washington.

California's bill is in response to a June announcement from the Obama administration of a federal program to ease deportation rules and allow some immigrants to gain temporary legal status in the United States.

Deferred Action for Childhood Arrivals (DACA), the new federal [program](#) announced by the Obama administration, applies to immigrants who arrived in the United States before their 16th birthday, are younger than 30 years of age, have been living in the United States for at least five years, and either are in school, have graduated, or have served in the military. As of August 15, those who are eligible may file a document entitled "Request for Deferred Action for Childhood Arrivals." They will then be granted a work permit for two years.

DACA is expected to cost more than \$585 million and require the hiring of hundreds of new federal employees to process the more than one million expected requests.

According to the Department of Homeland Security, the cost of the program would be offset by a \$465 paperwork fee, but as noted by TeaParty.org, "Fee waivers could dramatically affect the government's share of the cost. The plans said that, depending on how many applicants don't pay, the government could lose between \$19 million and \$121 million."

House Judiciary Committee Chairman Lamar Smith (R-Texas) declared,

By lowering the fee or waiving it altogether for illegal immigrants, those who play by the rules will face delays and large backlogs as attention is diverted to illegal immigrants. American taxpayers should not be forced to bail out illegal immigrants and President Obama's fiscally irresponsible policies.



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According to Fox News, the Deferred Action for Childhood Arrivals program is likely a ploy by the Obama administration to garner the much-needed Hispanic vote for the November elections.

Under the program, those who hold the permits are then able to apply for Social Security cards and driver's licenses, notes the Pew Hispanic Center.

But some [states](#), such as Nebraska and Arizona, have indicated they would not grant benefits to those "deferred action" immigrants.

Nebraska Governor Dave Heineman maintained, "The state of Nebraska will continue its practice of not issuing driver's licenses, welfare benefits or other public benefits to illegal immigrants unless specifically authorized by Nebraska statute."

And Texas Governor Rick Perry said the immigration directive would "confer absolutely no legal status whatsoever" on any immigrant who qualifies.

"If lawful status is required to receive a benefit, an individual will need to seek lawful status, not deferred action," Perry spokeswoman Lucy Nashed said.

California's legislature disagrees.

"It is a victory for those who were brought here through no fault of their own, played by the rules, and are only asking to be included in and contribute to American society," the bill's sponsor, Assembly member Gilbert Cedillo, said in a statement.

Even some states that are said to have tough immigration laws, such as Georgia, are issuing driver's licenses to undocumented workers who qualify under the new policy.

Muzaffar Chishti, director of the Migration Policy Institute's office at the New York University School of Law, notes that the states' differing reactions to the new federal program are expected:

A lot of these issues are in uncharted waters. In this particular area, which is how do you treat people that are deferred action, there's very little legal precedent to go by. States are making their own judgments.

States do maintain some control even in the implementation of the new federal immigration policy through state policies.

The battles that are expected to ensue as a result of conflicting interests from the federal government and the state governments may be resolved in state legislatures, or even the U.S. Supreme Court, contends Chishti.

According to Carlina Tapia-Ruano, the former president of the American Immigration Lawyers Association, immigration lawyers will take on the driver's license issue after they have helped the eligible immigrants apply for the deferred action program. CNN reports:

Once applicants are approved, we will then as a group turn our attention to how to resolve this problem," the Chicago-based immigration attorney said. "Our concern is not can you get a driver's license. Our concern is how can we get you qualified to get a work permit.

Cedillo's bill is considered to be a landmark one as it would permit immigrants to use documents that they receive through the federal program as proof at the DMV of legal residence.

The bill received support from some Republicans but others opposed it, asserting that immigration issues should remain with the federal government.



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Two other bills specifically addressing the immigrant population were passed in the California Assembly and are headed to the governor's desk for signature as well. The bills give nannies and domestic workers a wide array of rights and impose jail time and fines on employers of agricultural workers who do not provide shade and water for their employees. They also provide domestic workers with the right to overtime, meal breaks, and compensation for interrupted sleep, if the workers are live-in employees.

New York is the only other state to issue similar rules for domestic employees.

According to the bills, the domestic worker field is dominated primarily by immigrants and women, both of whom undergo "abuse and exploitation."

"In the worst cases, domestic workers are verbally and physically abused or sexually assaulted, forced to sleep in conditions unfit for human habitation, and stripped of their privacy and dignity," the bill analysis states.



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