2008 Special Session FISCAL ANALYSIS OF PROPOSED LEGISLATION Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER:SB 1080STATUS: A-EngrossedSUBJECT:Requires applicants for driver's license to prove U.S. citizenship or legal presence, upon
applying for or renewing a driver's license.GOVERNMENT UNIT AFFECTED:Oregon Department of TransportationPREPARED BY:Tim WalkerREVIEWED BY:Susan JordanDATE:February 7, 2008

EXPENDITURES: Highway Fund (OF)			<u>2007-2009</u>		<u>2009-2011</u>
Personal Services			\$1,296,229		\$1,551,214
Services and Supplies			\$563,438		\$139,370
Capital Outlay		-	\$90,204	· <u> </u>	<u>\$ -</u>
	Total		\$1,949,871		\$1,687,974
Transportation Operating Fund (OF) Personal Services			\$44,616		\$89,232
Services and Supplies			\$3,642		\$3,564
Services and Supplies	Total	-	\$48,258	· _	\$92,796
Total Expor		\$,	\$	1,780,770
Total Exper	luitures	φ	1,998,129	Φ	1,780,770
REVENUES: See Revenue Impact Statement					
POSITIONS / FTE: Permanent IS Positions and Traffic Service Rep. Posi (SR 15 - 33)	tions		5.50/14		14.0/16
Limited Duration IS Positions			1.05/2		.25/1

EFFECTIVE DATE: On passage.

INTERIM JOINT COMMITTEE ON WAYS AND MEANS: The budgetary impact of this bill will be reviewed by the Interim Joint Committee on Ways and Means Committee and may be included in the omnibus budget bill to be introduced by the committee.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: This bill requires applicants to provide proof of U.S. citizenship or legal presence in the United States before the Oregon Department of Transportation can issue, renew or replace a driver's license, a driver's permit, or an identification card. If a document is issued to an individual that is not a legal citizen, the expiration date of the document will be the date the individual is no longer authorized to stay in the U.S. or until one year from the issuance of the document. ODOT must also verify the

legitimacy of the documents submitted for proof of legal presence. For example, Social Security Numbers (SSN) must be verified by the Social Security Administration as valid and belonging to the individual presenting the SSN. The bill also identifies the documents that are acceptable for establishing legal presence. In addition, the bill allows ODOT to raise fees to pay for these additional requirements for the issue of documents. The bill also requires ombudsman services to assist applicants in meeting documentation requirements.

The requirement to verify the validity of legal presence documents is a labor intensive proposition. ODOT will be able to verify the validity of Social Security Numbers through the Social Security Administration's Social Security Online Verification (SSOLV) and the validity of immigration documents through the Department of Homeland Security, Systematic Alien Verification for Entitlements (SAVE). There are no other national systems to verify the validity of passports, birth certificates or the various other documents that may be required as proof of legal presence. Until there is a national system, legal presence documents will need to be manually processed to confirm their validity. ODOT proposes a visual check of documents to determine their validity, until automated systems are available for checking the validity with the issuing entity. ODOT will verify documents with issuing agencies when secure electronic verification systems are viable on a national level.

ODOT anticipates increased time required by counter staff to verify the documents, an increase in the volume of visits to field offices due to customers not having the appropriate documentation during the first visit, computer programming time to make the requisite changes to the programs to accept a variable expiration date, and phone calls to the customer service lines associated with clarification of documentation requirements. ODOT estimates a need for 8 positions for 12 months in 2007-09 and 10 positions for 24 months in 2009-11 to offset the workload increase for reviewing legal presence documents, providing legal document requirements to customers, verifying immigrations documents and data entry to the computer system. ODOT also projects an additional customer service position for 12 months in 2007-09 and 24 months 2009-11. Total personal service costs for these positions are \$399,156 in 2007-09 and \$887,544 in 2009-11.

The vast majority of expenditures are directly related to the documentation requirements of establishing legal presence and the computer programming costs of changing the system to accept a variable expiration date linked to the length of time the individual is legally in the U.S. Currently, the system defaults to 8 years between expiration dates. ODOT anticipates 2 limited duration information systems positions and 4 permanent system support positions with some contractor services and an estimated one time cost of \$1.4 million in 2007-09 and \$282,208 on 2009-11. On going personal service costs are estimated at \$45,104 on 2007-09 and \$580,386 in 2009-11 with services and supplies at \$1,440 in 2007-09 and \$5,760 in 2009-11. Ombudsman services required by the bill will cost \$514,000 in the 20007-09 and \$710,000 in the 2009-11. The Governor's Executive Order 07-22 requires ODOT to verify SSNs and limits the types of identification that are sufficient for establishing an individuals identity. The SSN verification process is automated and these transaction costs are not included in the fiscal impact statement. ODOT had planned to absorb the cost of implementing the Governor's Executive Order within existing resources. ODOT estimates 218,000 applications per year (2009-11) for driver license, driver permit, or identification card that will be rejected for insufficient documentation.

The bill also raises specific fees to cover the costs of implementation, programming, and increased transactions costs.