
OREGON STATE SHERIFFS' ASSOCIATION

TESTIMONY ON SENATE BILL 833

Before the Senate Business and Transportation Committee, April 11, 2013

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Chair Beyer and Members of the Business and Transportation Committee:

The Oregon State Sheriffs' Association is comprised of Oregon's 36 elected county sheriffs. Sheriffs take seriously their charge to be "conservators of the peace." Their role in public safety is broad, including routine patrol, investigating crime, search and rescue, marine patrol, jails, community corrections, court security, civil services and the issuance of concealed handgun licenses.

Oregon Sheriffs are neutral on the underlying policy discussion on issuing a driving privilege document to people who are not legally in the United States. We understand the value gained by having insured drivers and we know that illegal immigrants cannot obtain insurance to drive without some sort of state-issued license. We also understand that illegal immigrants will drive with or without a license. On the other hand, Oregon Sheriffs respect the concerns advanced by the opponents of SB833.

That being said, if SB833 is to move forward, Oregon Sheriffs request the committee strongly consider adopting many, if not all, of the requirements of the Utah "Driving Privilege Card (DPC)." Lincoln County Sheriff Dennis Dotson, who participated in the workgroup which was the progenitor of this legislation, strongly advocated for a Utah-style driving card in the workgroup.

Oregon Sheriffs also encourage the committee to ensure that, if a driving privilege card bill is advanced, that it direct DMV to create a card that is very clearly different than the current Oregon Identification Card and Oregon Drivers License. While the current language does provide some direction, Sheriffs believe the statute should be more specific. There are many options to ensure this distinct differentiation from using a portrait format instead of a landscape format, to distinctive coloring, to clearly stating on the face of the card "Not for Identification Purposes". Some of these requirements should be statutory rather than strictly administrative.

Oregon Sheriffs also think that obtaining a driving privilege document should be a robust and rigorous process and that they should be renewed annually. Sheriffs believe a four-year term is too long. Below is a link to the Utah DPC and some information gleaned from their website:

<http://publicsafety.utah.gov/dld/drivingprivilegecard.html>

Utah Department of Public Safety
Utah Driver License Division - Salt Lake: (801)965-4437 / Toll Free: (888)353-4224
Obtaining a Utah Driving Privilege Card (DPC)

A person who would need to obtain a Utah Driving Privilege Card (DPC) would be:

-- Individuals who are unable to establish legal/lawful presence and who are ineligible for a US Social Security Number. They must obtain an Individual Tax Identification Number (ITIN) from the Internal Revenue Service. Their DPC would expire on their birth date in the first year from the date the card was issued or renewed.

-- Individuals meeting these requirements would not be eligible to obtain a Commercial Driver License or Identification Card.

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Requirements to be eligible for a DPC are:

- You have to reside in Utah for a period of six months or more;
- Cannot be temporarily assigned to Utah by an employer, religious organization, or government agency;
- You are required to obtain a Utah learner permit or DPC in order to legally drive while here in Utah. The valid DPC allows the holder to operate a motor vehicle in Utah, but may not be used as a means of identification by any Utah government entities;

Documents required to obtain a DPC are:

- Evidence of a driving privilege issued in another state or country or evidence of completion of a course in driver training;
- 2 proofs of Utah residency;
- Evidence of social security number or Individual Tax Identification Number (ITIN);
- Evidence of Identity;
- Completed fingerprint card and photograph from local agency;
- Completion of required written knowledge/skills tests

NOTE: Under Utah law, the individual driver is responsible to refrain from driving if there is any uncertainty about his/her physical mental or emotional status which may affect driving safety. If the condition persists, he/she is responsible for reporting it to the Driver License Division. And for security purposes, in establishing a driver license record, it is essential that information is accurate. The Driver License Division will therefore require original certified documents for an original application. When applying for a Utah driver license, your privilege to drive cannot be suspended, revoked, disqualified, or denied in another state or country.

After all requirements for a DPC have been successfully completed, you will receive a temporary document that is a receipt only. The completed Driving Privilege Card (DPC) will then be mailed to you in approximately three weeks.

Oregon Sheriffs appreciate the committees consideration of this testimony and we are happy to discuss any specific changes we recommend. Thank you.