

## MEMO FROM COUNCIL OFFICE ON:

### **Resolution 23-09 – A Resolution of the Common Council of the City of Bloomington, Indiana, Endorsing and Urging Passage of Indiana Legislation Establishing a Driver Card For Undocumented Indiana Residents**

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#### **Synopsis**

This resolution expresses the Common Council's support for passage of state legislation creating a lawful driving credential available to undocumented residents who meet appropriate prerequisites; instructs the City Clerk to send the resolution upon passage to the statehouse; and urges residents to express their own support to state legislators.

#### **Relevant Materials**

- [Resolution 23-09](#)
- Staff Memo from Office of the Mayor
- Letter and Materials from La Voz Unida
  - Legislation from Other Indiana Municipalities

#### **Summary**

[Resolution 23-09](#) calls for the Indiana General Assembly (IGA) to pass legislation to establish driver cards for undocumented Indiana residents. Such legislation has previously been introduced but not adopted by the IGA. The Indiana Senate most recently sent [S.B. 248](#), a bipartisan bill that would permit Indiana residents who cannot provide proof of U.S. citizenship to apply for a driving privilege card to obtain driving privileges, to the Committee on Appropriations this past February for a [fiscal impact statement](#). No further action has been taken on the bill since February. The Indiana House of Representatives introduced a similar bill, [H.B. 1644](#), with near identical provisions to the senate bill, which died in committee in mid-January.

Under the federal [REAL ID Act](#) and its [implementing regulations](#), federal agencies cannot accept state-issued identification cards for any official purpose unless the card is issued by a State that requires applicants to comply with federal requirements for obtaining a REAL ID. One of these requirements is proof of lawful status in the United States. Current [state law](#) mandates that the Bureau of Motor Vehicles require applicants to present such proof in order to receive an Indiana-issued driver's license or permit.

The REAL ID Act does not prohibit states from issuing driver's licenses and permits to undocumented residents. Rather, any state-issued form of identification that does not conform with the REAL ID requirements cannot be accepted by federal agencies for any official purpose, which includes boarding flights, voting, accessing federal services, or proving citizenship or lawful residence.

Currently, twenty U.S. states have enacted legislation offering state-issued driver cards to undocumented residents. An open letter to Governor Holcomb was signed by 48 Indiana mayors last summer calling for the enactment of this type of legislation. A copy of this letter is included in your packet materials, along with materials from La Voz Unida, an Indiana nonprofit organization that has advocated for the enactment of this legislation on the state level.

At least thirteen other Indiana municipalities have passed similar resolutions in support of this measure, including South Bend, Goshen, East Chicago, Hammond, Elkhart, Evansville, Logansport, Plymouth, Warsaw, Ligonier, Wabash, the Town of Bremen, and the Town of North Manchester. Copies of these municipalities' local legislation have been included in the packet materials for reference.

The Indiana Driving Privilege Card Project released a [report](#) on the projected social and economic effects of driving privilege card legislation in Indiana. The report was published in 2021, with references to proposed state legislation from 2021 that did not pass. For more information on the impact driver cards would have on undocumented Hoosiers, please consult the staff memo.

**Contact**

Beth Cate, Corporation Counsel, [beth.cate@bloomington.in.gov](mailto:beth.cate@bloomington.in.gov), 812-349-3426

Josefa Madrigal, Office of the Mayor, [josefa.madrigal@bloomington.in.gov](mailto:josefa.madrigal@bloomington.in.gov), 812-349-3406

Mary Catherine Carmichael, Deputy Mayor, [carmichm@bloomington.in.gov](mailto:carmichm@bloomington.in.gov), 812-349-3406