



Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

H.B. 155

130th General Assembly
(As Introduced)

Reps. Ramos and Reece, Driehaus, Antonio, Foley, Phillips, R. Hagan

BILL SUMMARY

- Specifies that a person who has been approved for the Deferred Action for Childhood Arrivals (DACA) program by United States Citizenship and Immigration Services is eligible to receive a temporary instruction permit, driver's license, or motorcycle operator's license or endorsement.
- Specifies that eligibility is conditioned on the person meeting all applicable requirements for the issuance of a license or endorsement other than the requirement that the person be legally present in the United States.

CONTENT AND OPERATION

Driver's licenses and persons approved for the DACA program

The bill provides that a person who has been approved for the Deferred Action for Childhood Arrivals (DACA) program by United States Citizenship and Immigration Services (USCIS) is eligible to receive a driver's license or motorcycle operator's license or endorsement. At the time of application for such a license or endorsement, the person is required to present to the Registrar of Motor Vehicles or deputy registrar either the notice of decision or employment authorization document issued by the USCIS. Upon presentation of either document, the person cannot be required to prove legal presence in the United States as is otherwise required under rules adopted by the Registrar, but is required to meet all other applicable requirements related to the issuance of the license or endorsement.¹

¹ R.C. 4507.06(B).

The Registrar and deputy registrars must train any employee who works with the public about the DACA program and the eligibility of a person who has been approved for the program to receive a driver's license or motorcycle operator's license or endorsement. The Registrar is required to establish appropriate procedures for the training.²

Under the DACA program, a person who is not present in the United States legally but who arrived prior to attaining 16 years of age and meets certain other criteria may have the person's removal from the United States deferred. During the deferral period, the person may be eligible for employment authorization.

Under current law, a person must be either a resident or temporary resident of Ohio in order to be issued a driver's license (including a temporary instruction permit and a motorcycle operator's license or endorsement).³ An Ohio resident who is a United States citizen or is not a United States citizen but has been granted permanent resident status by the USCIS may be issued a driver's license. (A person who is not a United States citizen but has been granted permanent resident status is issued a form I-551 by the USCIS, commonly known as a "green card.")

A person who is not a U.S. citizen and has not been granted permanent resident status but is legally present in the United States cannot be issued a driver's license but can be issued a nonrenewable driver's license upon application and presentation of documentation verifying the person's legal presence in the United States.⁴ This type of license cannot be renewed but can be replaced upon expiration if the holder again presents documentation verifying the holder's legal presence in the United States.⁵ A person who is not a U.S. citizen, has not been granted permanent resident status, and cannot provide documentation verifying the person's legal presence in the United States generally cannot be issued any type of Ohio driver's license or permit.

HISTORY

ACTION	DATE
Introduced	05-07-13

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² R.C. 4507.06(B).

³ R.C. 4507.08(D)(7), not in the bill.

⁴ R.C. 4507.09(E), not in the bill; and Ohio Administrative Code 4501:1-1-21(A) and (C)(4).

⁵ R.C. 4507.09(E).

