



NEW YORK STATE SENATOR

James Tedisco

Tedisco: Passage of Driver's Licenses for Those Here Illegally Bill Sends Wrong Message that Citizenship and Rule of Law Don't Matter in NYS

SENATOR JIM TEDISCO June 17, 2019

| ISSUE: **DRIVER'S LICENSES**



In response to plans by the Senate Majority to bring the so-called “Green Light Bill” to give driver’s licenses to those here illegally to the Floor of the Senate for a vote today, Senator Jim Tedisco (R,C,I,REF-Glenville), the most outspoken opponent of this proposal since he helped defeat former Governor Eliot Spitzer’s plan in 2007, will be offering an amendment to protect County Clerks who refuse to issue the driver’s licenses.

During Floor debate today, Tedisco will be offering his “County Clerks Protection Act” ([S.3868/A.6317](#)) to indemnify county clerks, who run most of the state’s Departments of Motor Vehicles (DMVs) in New York State, from facing lawsuits or removal by the governor when they act in good faith and with a reasonable belief they are upholding their oath of office and the Constitution of the United States by refusing to issue driver’s licenses to those here illegally.

The sponsor of the “Green Light Bill” also has introduced a bill to compel County Clerks to issue the licenses to those here illegally or face removal from office.

“Giving driver’s licenses to those here illegally sends the wrong message to honest, law-abiding citizens and those who are trying to do the right thing and have been in line for quite some time to become American citizens. If there is one set of hoops citizens have to jump through to earn their privileges but no standards for those here illegally, what’s the point of citizenship when you can just sneak into the front of the line and take advantage of our system? Make no mistake, if we continue on this dangerous path, we will become the United States of Non-Citizens,” said Senator Tedisco. “It was a bad idea when former Governor Eliot Spitzer wanted to do it and it’s a bad idea now!”

Tedisco noted that contrary to the bogus claims by advocates for the “Green-Light Bill,” federal and state courts have long ruled that driving is a privilege and that there is no fundamental right to drive.

In 2007, the New York State Court of Appeals upheld the DMV’s right to require social security numbers from driver’s license applicants. Moreover, the DMV has required driver’s license applicants to submit social security numbers for the past 24 years to combat rampant identity, bank and insurance fraud, not as a post-9/11 anti-immigration policy as advocates falsely suggest.

Senator Tedisco said that among the concerns is creating a double standard for American citizens applying for a standard license. For example, a citizen with a Social Security number would have to provide it, along with verifiable ID documents, while those here illegally would not. The bill also requires that licenses issued to those here illegally be “visually identical” to a federal-purpose license, which is a deliberate attempt to deceive and a violation of the federal REAL ID Act. The Green-Light bill would further hurt the DMV and law enforcement from upholding their constitutional duties by prohibiting them from reporting those here illegally to federal immigration officials and stifle police investigations for car accidents and other incidents. A recent amendment to the bill requires the DMV Commissioner to notify within three days anyone whose records are sought and requires the identification of the agency seeking the records. In what other law enforcement investigation is the suspect given advance notice?

“We are a state and a nation of laws. Whenever we exempt people from those laws, it creates chaos. We support immigration, but the legal process of immigration because if we don’t adhere to a legal system for becoming a citizen, New York State will become a magnet for those here illegally. We need an improved path to citizenship on the federal level for people who want to be a part of our magnificent melting pot of a republic, but it should not be done in an unfair, ham-handed way at the state-level that hurts our security and makes a mockery of what it means to be a citizen,” said Tedisco.

RELATED LEGISLATION

2019-S3868

-
- Introduced

 - ◦ In Committee Assembly
 - In Committee Senate

 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

 - ◦ Passed Assembly
 - Passed Senate

 - Delivered to Governor

 - Signed By Governor

 -

Allows a county clerk to employ an attorney-at-law to defend against certain civil actions; and relates to the removal of public officers by the governor

February 20, 2019

In Senate Committee [Local Government](#)

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Do you support this bill?