



NEW YORK STATE SENATOR

Daphne Jordan

## NYS Senator Daphne Jordan & Saratoga County Clerk Craig Hayner outline policy remedies to fix Green Light Law's identified deficiencies, protect public safety, & save taxpayer dollars

DAHPNE JORDAN November 29, 2021

| ISSUE: **GREEN LIGHT LAW, DRIVERS LICENSE, PUBLIC SAFETY**

**Halfmoon, NY** – Responding to reporting that chronicled widespread cheating and fraud within the State DMV's driver permit program connected, in part, to the state's Green Light Law, New York State Senator Daphne Jordan (R,C,I-Halfmoon) and Saratoga County Clerk Craig Hayner today outlined several policy remedies to fix identified deficiencies, protect public safety, and save taxpayer dollars.

As noted in two stories by the *Times Union*, "[Rampant cheating suspected in state's driver permit program](#)," November 14, 2021, and "[New York inspector general investigates DMV cheating allegations; Workers suspect scammers are attempting to tap into state's new Excluded Workers Fund](#), November 16, 2021," the State's online driver's permit tests are reportedly rife with cheating and fraud.

*A Times Union article stated “DMV workers say the alleged cheating also has been exacerbated by the state’s Green Light Law, which went into effect in December 2019 and has allowed thousands of undocumented immigrants to obtain driver’s licenses, something that more than a dozen other states also allow. The law prohibited DMV offices from storing applicants’ personal information for more than six months and lowered the security thresholds for verifying someone’s identity, according to motor vehicle workers.”*

The *Times Union* also noted that DMV employees cited a high number of individuals who cheat or have others take the at-home, online tests authorized last year. Typically, the 50-question online driver’s test takes approximately 45-60 minutes to finish. However, DMV workers have reported that individuals taking online tests are completing them with perfect scores in less than seven minutes. The *Times Union* story also noted that nearly 30 percent of DMV test-takers were flagged for cheating, and nearly half of those took a retest and subsequently failed.

Additionally, the *Times Union* published a second piece indicating an investigation by the State Inspector General’s Office into a scheme to illegally obtain driving credentials for undocumented immigrants who may have used the licenses to establish residency and receive unemployment benefits under the state’s \$2.1 billion Excluded Workers Fund. State investigators suspect that in addition to undocumented immigrants paying \$3,000 to have someone take the online driver’s permit tests for them, individuals were using fraudulent

residency documents and mailing addresses to exploit the initiative to obtain pandemic-related state unemployment benefits even though they might reside in other states or outside the country.

Enacted in June 2019, New York's Green Light Law ("Drivers' License Access and Privacy Act," Chapter 37 of the Laws of 2019) allowed the issuance of state driver's licenses to illegal immigrants, among other provisions. Before the Green Law's enactment, Senator Jordan and Clerk Hayner repeatedly cautioned that the polarizing measure contained countless deficiencies that would jeopardize public safety. Senator Jordan and Clerk Hayner warned the egregiously written measure could jeopardize traffic safety, compromise public security, create a double standard for people applying for a standard license, open the door to voter fraud, bank fraud, and ID theft, and ban the State DMV from sharing databases with third parties, including law enforcement. Furthermore, Senator Jordan and Clerk Hayner stated that the Green Light Law could allow scofflaws to thwart multiple traffic violations to obtain a license after their actual license has been revoked.

Senator Jordan and Clerk Hayner outlined several policy remedies to fix the Green Light Law's identified deficiencies, protect public safety, and save taxpayer dollars. The corrective policy suggestions advanced by Senator Jordan and Clerk Hayner included the following:

**1. Audit all online permit tests dating back to August 2021, when much of the fraud was identified, especially for individuals who passed their tests in seven minutes or less. The audit should note the state or country where the test was taken from;**

**2. Audit all Green Light applicants who currently have a standard permit/license and how many are registered to vote;**

**3. Audit all documentation used by all Green Light applicants;**

**4. Audit how many Green Light permits have been processed since the Green Light Law took effect; and**

**5. Enact Senator Jordan's legislation, Senate Bill S.4447A, which would create a "driving privilege license" for individuals applying for an NYS driver's license with alternative forms of identification.**

**Senator Jordan's bill would separate the driving privilege license type from standard-issue drivers' licenses, and provide that driving privilege licenses cannot be used for identification purposes.**

**Senator Jordan's bill would ensure that NYS driver's licenses cannot be used for false identification,**

**which has numerous negative ramifications for public safety, effectively restoring the value of New York State-issued identification. Senator Jordan’s bill also would amend State Election Law by providing that voter registrations included with driver’s licenses require applicants to provide their social security number, ensuring that undocumented immigrants cannot register to vote while applying for a driving privilege license, including both written and electronic forms.**

“Government’s top priority is ensuring public safety. As evidenced by recent investigative reports into the state’s driver permit program, the Green Light Law has given a green light to fraud and corruption, just as Clerk Hayner and I continually warned in the run-up to its passage by the Democrats. We need to fix the Green Light Law’s many deficiencies by enacting my legislation to provide a driving privilege license that can’t be used for identification to help reduce ID fraud. We also need a comprehensive audit of the State’s driver’s permit program to ensure that all of the ongoing fraud and corruption – which are potentially spilling into the \$2.1 billion Excluded Workers Fund – are rooted out and ended to help protect taxpayer dollars from waste, fraud, and abuse,” **Senator Daphne Jordan (R,C,I,Ref-Halfmoon) said.**

**Saratoga County Clerk Craig A. Hayner said,** “Identity verification loopholes written egregiously into the Green Light Law and passed by New York’s Democrat majority predictably led to this major predicament for New York State DMV and, ultimately, all of us. The New York State Standard Driver License was once considered the bulwark of identification standards, but the rigorous forms of identification required to prevent this type of fraud by ensuring a person is who they said they are were stripped from the Vehicle

and Traffic Law when Green Light was enacted. The online permit testing system has now exposed the law's flaws, promoting obvious fraud that proves the Green Light Law is far from airtight. The people of New York State should be highly concerned about the ramifications of this loosening of identification standards."

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#### RELATED LEGISLATION

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### 2021-S4447A

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- 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
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Relates to implementing driving privilege licenses and requiring a social security number to register to vote on an application for a motor vehicle driver's license

February 04, 2021

In Senate Committee [Transportation](#)

Sponsored by [Daphne Jordan](#)

Do you support this bill?