

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2011 - 5

3 INTRODUCED BY:

4
5 Councilor Trujillo
6 Councilor Wurzbarger
7 Councilor Calvert
8 Councilor Bushee
9

10 A RESOLUTION

11 URGING THE NEW MEXICO STATE LEGISLATURE TO MAINTAIN THE
12 EXISTING NEW MEXICO DRIVER'S LICENSE LAWS AS THEY RELATE TO THE
13 ISSUANCE OF DRIVER'S LICENSES, IRRESPECTIVE OF IMMIGRATION STATUS.
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15 WHEREAS, on January 8, 2003, the Governing Body adopted Resolution No. 2003-7 which
16 proposed that the Legislature of the State of New Mexico ("Legislature") enact a law that would
17 allow immigrants to obtain driver's licenses irrespective of immigration status by furnishing an
18 Individual Taxpayer Identification Number ("ITIN") issued by the Internal Revenue Service; and

19 WHEREAS, in 2003, the Legislature amended Section 66-5-9(B) NMSA 1978 in order
20 to allow an applicant to use an ITIN in lieu of a social security number when applying for a New
21 Mexico driver's license; and to authorize the Secretary to establish by regulation other documents
22 that may be accepted as a substitute for a social security number or an ITIN; and

23 WHEREAS, in January 2008, the National Immigration Law Center ("NILC") issued a
24 fact sheet entitled *Why Denying Driver's Licenses to Undocumented Immigrants Harms Public*
25 *Safety and Makes Our Communities Less Secure*; and

1 **WHEREAS**, the NILC fact sheet stated that four of the six states that provide licenses to
2 undocumented immigrants fall below the national average for uninsured motorists, including New
3 Mexico, whose uninsured rate dropped from 33% in 2002 to 10.6% in 2007; and

4 **WHEREAS**, the AAA Foundation for Traffic Safety describes unlicensed drivers as
5 “among the worst drivers on the road” and found that unlicensed drivers are almost five times
6 more likely to be in a fatal crash than are validly licensed drivers; and

7 **WHEREAS**, city of Santa Fe law enforcement personnel have expressed their support
8 for maintaining current driver’s license laws because during stops or investigations law
9 enforcement personnel can quickly identify immigrants and check their record without having to
10 examine documents in foreign languages; and

11 **WHEREAS**, law enforcement personnel can also access Motor Vehicle Division records
12 to obtain photos, information and last known addresses; and

13 **WHEREAS**, when undocumented persons do not have a social security number but have
14 the ability to obtain a driver’s license, law enforcement can easily track these individuals who
15 have outstanding warrants or citations, who are repeat offenders, and who are delinquent in their
16 child support payments; and

17 **WHEREAS**, on December 21, 2010, representatives from the City of Santa Fe
18 Immigration Committee made a presentation to the Public Safety Committee regarding the
19 Immigration Committee’s role as it relates to public safety matters; and

20 **WHEREAS**, one of the primary concerns of the Immigration Committee is that the 2011
21 Legislature may amend existing state laws relating to the application and issuance of driver’s
22 licenses to immigrants so that undocumented persons may no longer be able to obtain a New
23 Mexico driver’s license; and

24 **WHEREAS**, in support of city of Santa Fe law enforcement and the Immigration
25 Committee’s efforts to maintain the existing state laws relating to the application and issuance of

1 driver's licenses to undocumented persons, the Public Safety Committee requested that a
2 resolution of support be drafted; and

3 **WHEREAS**, in the interest of public safety, the Governing Body hereby expresses its
4 support of maintaining existing state laws relating to the application and issuance of driver's
5 licenses during the 2011 Legislative Session.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
7 **CITY OF SANTA FE** that the Governing Body hereby urges the New Mexico State Legislature
8 to maintain the existing New Mexico driver's license laws as they relate to the issuance of
9 driver's licenses, irrespective of immigration status.

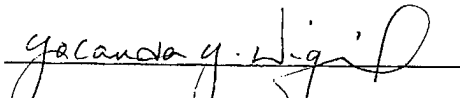
10 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
11 resolution to the Governor of the State of New Mexico, the city of Santa Fe's legislative
12 delegation and the City of Santa Fe lobbyist.

13 **PASSED, APPROVED, and ADOPTED this 26th day of January, 2011.**

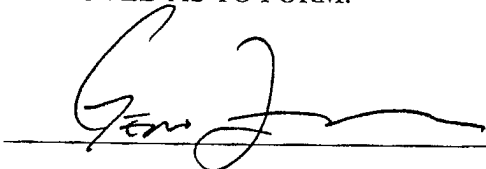
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16 DAVID COSS, MAYOR

17 ATTEST:

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20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

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23 

24 GENO ZAMORA, CITY ATTORNEY

25 *mdb/ca/jpmb/2011 res/Driver's Licenses2*