



OFFICE *of the* SECRETARY *of* STATE

Alexi Giannoulas • Secretary of State

July 12, 2024

Dear Clerk/Board of Election Commissioner,

I'm writing to clarify some misinformation about a new law, which went into effect on July 1 that involves driver's licenses and voter registration procedures at Illinois DMV facilities.

The goal of Public Act 103-210 (House Bill 3882) is to improve road safety and reduce instances of discrimination. In tandem with the pursuit of these goals, the Secretary of State's office (SOS) also implemented new safeguards to ensure only eligible and qualified U.S. citizens can submit voter registration applications.

The prominent purple banner reading "Not Valid for Identification" found on TVDLs often dissuaded undocumented individuals from opting to get one. This led to more unlicensed drivers on Illinois roads who never took a vision test, a written driving test or a behind-the-wheel test, all of which are essential to ensuring a driver is fit to safely operate a vehicle. It also meant fewer drivers needing to show proof of insurance, which is required to drive legally in Illinois.

In terms of voter registration, the current procedures used by local election authorities to process voter registration applications completed at DMVs have not changed and do not change because of the new law. Various electronic protection measures are already in place that fully omit the voter registration process for all TVDL applicants due to the fact that they are non-citizens.

The SOS will continue to determine the citizenship status of all applicants for a standard driver's license (DL) or state ID card. Standard DLs/IDs have long been issued to non-U.S. citizens who are lawfully present in the United States and who have been issued social security numbers (SSNs). However, only U.S. citizens may apply to register to vote when applying for a DL/ID.

But, under this new law, the ILSOS has included additional restrictions, adding several more verification checks to ensure non-U.S. citizens cannot apply to vote. It's important to note that individuals applying to register to vote with their local county clerk or election authority are not required to show proof of U.S. citizenship.

Specifically:

- Current programming on ILSOS computer systems prevents voter registration for applicants who present either a foreign passport or a consular ID card, which is required for an undocumented Illinois resident to obtain a standard driver's license.
- Non-U.S. citizenship status is entered into a designated field on the computer screen. Programming is in place so that entry of non-U.S. citizenship status in the designated field prevents the voter registration process from launching.
- Programming is in place to prevent voter registration for any applicant individuals who do not have Social Security numbers (SSN).
- An identical "non-SSN" designation is assigned to all current TVDL holders and will be assigned to each new applicant without current immigration documents who is applying for a standard DL/ID. Programming is in place to prevent the voter registration process from launching for any record with the non-SSN.
- Data from the foreign passport or consular card is also entered into a document capture screen as secondary verification of non-citizenship status.

In addition, we have notified employees at all 138 DMV facilities throughout the state to alert them to the new law and safeguards and trained them to properly process applications.

Please feel free to reach out to me directly if you have any questions.

Sincerely,

Brenda Glahn
Senior Legal Advisor
Illinois Secretary of State



OFFICE of the SECRETARY of STATE

Alexi Giannoulas • Secretary of State

July 1, 2024

New Legislation Takes Effect to Improve License Process for Immigrant Drivers *July 1st Change Will Make Illinois Roads Safer & Reduce Stigma and Discrimination*

Undocumented immigrants living in Illinois can now apply for standard driver's licenses thanks to a new law championed by Secretary of State Alexi Giannoulas aimed at making Illinois roads safer and eliminating instances of discrimination.

Illinois lawmakers passed legislation in 2023, which takes effect on July 1, replacing Temporary Visitor Driver's Licenses (TVDLs) with four-year standard driver's licenses that have the wording "Federal Limits Apply" printed on them.

Immigrants who have current TVDLs cannot use them for identification, making it difficult to perform routine tasks like filling prescriptions, opening a bank account or applying for an apartment. In addition, TVDLs include the wording "Not Valid for Identification" and a purple-colored banner signaling that the holder is undocumented – even though many have lawful status – which can lead to discrimination. As a result, many motorists have opted not to obtain a license and drive illegally without insurance.

"This is an important step forward in reducing the stigma that our immigrant population is forced to face," Giannoulas said. "It will also make our roads safer by ensuring that more motorists can legally drive – having to pass written and behind-the-wheel driving tests and show proof of insurance – like all other licensed Illinois drivers."

House Bill 3882 was sponsored by State Representative Barbara Hernandez (50th District – Aurora) and State Senator Ram Villivalam (8th District – Chicago).

"At a time in which anti-immigrant attitudes are regrettably growing in this country, allowing non-citizens to use standard IDs removes an unnecessary and demeaning distinction which too often leads to discrimination against people new to our communities," said State Representative Barbara Hernandez (50th District-Aurora). "This is a major step forward for the equity of non-citizens in Illinois."

"Starting today, immigrant families will no longer face restricted access to basic services and endure the stigma associated with the TVDL purple banner," said State Senator Ram Villivalam (8th District-Chicago). "Offering standard driver's licenses to these individuals prevents discrimination while keeping our roads and communities safe."

"My constituents will no longer have to live with the stigma of having a Temporary Visitor Driver's License and will be less vulnerable to discrimination because of their status," said Congressman Jesús "Chuy" García (4th District). "Laws like this show why Illinois is a welcoming state, make our roads safer, and create more equitable systems for all."

"Thank you Secretary Giannoulias for your leadership in getting this driver's license legislation passed last year, and ensuring that this new law is being implemented promptly," said Fred Tsao, Senior Policy Council for the Illinois Coalition for Immigrant Rights (ICIRR). "We look forward to continuing to work with you to enable qualifying Illinois motorists to quickly and easily get a standard license – the same license that millions of other Illinois residents have and use every day."

Giannoulias is encouraging current TVDL cardholders to "Be the First" to make the switch to a standard driver's license. Applicants seeking to renew or replace their existing TVDLs can apply online at www.ilsos.gov/TVDL or visit a DMV facility. First-time applicants must visit a DMV facility to present the required documents.

Applicants must follow the same process as applying for a TVDL. Those eligible for a standard driver's license must have lived in Illinois for more than a year and provide a passport or a consular card, proof of residency and proof of insurance. Applicants must also pass vision, written and behind-the-wheel driving tests.

The legislation also restricts the sharing of driver information by prohibiting the use of data for immigration enforcement purposes. Immigration agents must provide a court-issued warrant, order or subpoena to request the personally identifying information. Giannoulias' office has implemented additional safeguards to ensure that immigrant motorists cannot obtain a REAL ID or be added to the voting rolls.

Additional staff training has been conducted to allow the office to offer applications for this new standard license at all of its non-express DMV facilities statewide. Application processing was previously limited to just 10 facilities.

Illinois was one of the first states to begin issuing TVDLs in 2013 to ensure that all drivers on state roads have passed a stringent behind-the-wheel driving test and provided proof of vehicle insurance regardless of their citizenship. Since then, the office has issued more than 300,000 TVDLs, making Illinois roads safer.