

Massachusetts Mayors Press For Undocumented Immigrants Licensing Bill's Passage

By Chris Van Buskirk
State House News Service

At one point during the pandemic, Lynn Mayor Jared Nicholson said the city's transportation vendor was unable to get a certain population of students to school for a period of time due to a driver shortage.

It was particularly unfair, he said, for families who did not have lawful status in the United States and could not legally drive students to class. The situation made it clear, Nicholson said, that the Legislature should pass a bill opening up a path for some immigrants without legal status to obtain driver's licenses.

"During that time period, specifically, there was this inability to legally obtain a driver's license that would allow for them to lawfully get their kids to school," he said Tuesday at a press conference hosted by the Driving Families Forward Coalition. "I think it's just another example ... that this is time for this to be fixed, to listen to the law enforcement professionals who recognize the importance of this change, and really for everyone to move forward with the bill."

Pending for years on Beacon Hill, the bill (H 4470) cleared the House for the first time on a 120-36 vote in February and is awaiting action in the Senate where President Karen Spilka has said she looks forward to bringing the bill to a vote "so it can become law."

Salem Mayor Kim Driscoll described the bill as "common sense

legislation” that she supports for three reasons. She said the bill is morally good because it ensures access to driver’s licenses for all people, allows people to have a better quality of life, and increases public safety.

“We’ve recognized the value and benefits of immigrants within our city [for] nearly 400 years. We’re one of the oldest cities in Massachusetts,” Driscoll said. “If we can do this for nearly 400 years, why wouldn’t we want to not only welcome immigrants but make sure that we’re sharing in prosperity, that we are giving everyone the access to empower and enrich their lives to be successful.”

The House passed the bill with a veto-proof margin even though eight Democrats joined all 28 Republicans in opposition. Critics of the bill say it may allow people to unlawfully register to vote under the state’s automatic voter registration law and asks too much of the Registry of Motor Vehicles.

Sen. Ryan Fattman (R-Sutton) said he does not support the legislation because he said it “disincentivizes” individuals from pursuing citizenship through legal means.

“It is also counterintuitive to the strong identity laws we have passed that keep us compliant with federal REAL ID requirements where individuals need greater documentation to protect and secure one’s identity when they go to obtain a license,” he said in a statement to the News Service.

The proposal, as passed by the House, would allow people without proof of lawful residency in the United States to apply for a license if they have at least two documents proving their identity, birth date, and Massachusetts residency.

At least one of the two documents needs to be either a valid passport or consular ID, and without the internationally recognized documentation, an applicant could not proceed in

obtaining a driver's license or permit.

The bill also includes a provision preventing someone from automatically registering to vote if they cannot provide proof of lawful residence when applying for a driver's license or permit.

During February debate in the House, Republicans argued the proposed law would encourage illegal immigration to the country and state if people know they can obtain a driver's license without lawful proof of residency.

Former State Police Sergeant Rep. Timothy Whelan (R-Brewster) has said he has "serious concerns" with the Registry of Motor Vehicles' ability to validate documents presented by people without lawful status in the U.S.

Boston Mayor Michelle Wu said residents in the city "urgently" need mechanisms for transportation, for safety, and for economic mobility, all issues she said the driver's license bill addresses.

As a daughter of an immigrant family, Wu said she knows what "it feels like to see the systems that are there – built with programming and services and funding – feel so far away because of the barriers that stand in the way."

"All the work that we're doing around housing affordability, around educational quality and access, around clean air and jobs will only matter if people can actually get to all of the opportunities we're setting up and working so hard to create," she said.

The bill has sat in the Senate Clerk's office since the House passed it in February. The Senate typically sends legislation it plans to take up to the branch's Ways and Means Committee for review, though there are times when bills skip the committee, head straight to the floor, and are altered through the amendment process.

The lack of a current committee assignment for the driver's license bill could be a result of a busy legislative schedule for the Senate, the Senate Clerk's office told the News Service. In the past month, the Senate has taken up reforms to the two long-term care homes for veterans in the state, a \$1.6 billion mid-year spending bill, and plans this week to address issues in the legal cannabis industry.

At an advocacy event last week, Spilka said "individuals and families deserve to feel safe and driver's licenses for all qualified state residents is good for our economy and good for public safety."