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ILLINOIS COALITION FOR IMMIGRANT AND REFUGEE RIGHTS

Temporary Visitor Driver's Licenses (TVDLs)

On January 27, 2013, Illinois Governor Pat Quinn signed SB 957, which enables undocumented immigrants in Illinois to get temporary visitor driver's licenses (TVDLs). Illinois is now the fourth state (and first new state since 2003) to authorize undocumented immigrants to drive legally.

What is a Temporary Visitor Driver's Licenses (TVDL)?

The TVDL is an existing document that is now available to many foreign-born individuals living in Illinois. Since 2005, Illinois has issued TVDLs to individuals who do not have Social Security Numbers but who have lawful immigration status, including foreign students, spouses and children of temporary workers, and long-term visitors. Many of these individuals still need to drive on a regular basis to get to classes, shop, take their children to school, or attend to other family and personal business. **The new state law, SB 957, makes TVDLs available to undocumented motorists who also need to drive for these purposes.**

TVDLs are **visually distinct** from regular licenses: TVDLs current use a purple color scheme, as opposed to the red scheme used for regular licenses. TVDLs are also clearly marked as "**not valid for identification**."



Driver's License



Temporary Visitor Driver's License (TVDL)

Why TVDLs instead of regular licenses?

The federal REAL ID Act requires that states can issue regular driver's licenses only to those individuals with lawful immigration status. Because they are visually distinct from regular licenses and are marked as not valid for identification, TVDLs already comply with REAL ID while still enabling undocumented immigrants to drive legally.

What requirements will applicants need to meet to get a TVDL?

To qualify for a TVDL, an undocumented immigrant must

- Prove that she has lived in Illinois for at least one year;
- Provide a valid unexpired passport or consular ID;
- Provide other proof of her identity and residency that the Secretary of State might require;
- Pass all applicable vision, written, and road tests;
- Show proof of insurance for the vehicle she uses for the road test;
- Pay a \$30 fee.

The Secretary of State will also check any previous driving record, including past violations that might affect the applicant's ability to receive a TVDL. **Anyone who is subject to a suspension** (for instance, for a

DUI or giving false information to the Secretary of State on a previous license application) **must serve the suspension** before getting a TVDL.

Where will applicants be able to apply?

The Secretary of State intends to make TVDL applications available at 36 facilities throughout the state, 18 in the Chicago area and 18 downstate.

When will TVDLs become available?

The Secretary of State plans to start **taking appointments** for TVDLs in mid-December 2013 at selected facilities, and then roll out the TVDL program to all 36 sites in January 2014. Appointments can be made by calling **855-236-1155** or visiting www.cyberdriveillinois.com.

Will applicants get a TVDL the same day as they apply?

No. The Secretary of State will need to review and verify the applicant's documents. The Secretary of State will then issue the TVDL from a central facility and send it to the applicant by mail.

Is the TVDL valid as proof of identity?

No—and as a result, the TVDL cannot be used for voting, getting a firearms identification card, boarding an airplane, or entering a federal building. However, hospitals, first responders, and others could still use the TVDL as a document to *indicate* the person's name and address. TVDL holders could still provide passports and consular identification cards as proof of identity.

Could the TVDL be used as a bond card at traffic stops?

Yes. Drivers with TVDLs can produce the card as bond during a traffic stop, just as drivers with regular licenses can. They would get ticketed rather than being arrested (because they cannot produce bond) and ending up in the criminal justice and immigration enforcement pipeline. Police time and jail space will no longer be taken up with so many motorists who are arrested for driving without a license.

What happens if someone with a TVDL drives without insurance?

TVDL holders will be subject to all provisions of the Vehicle Code, including those requiring insurance coverage. In fact, anyone applying for any license, including a TVDL, must prove that the vehicle she is using for her road test is insured. Finally, if someone with a TVDL is stopped and cannot show proof of insurance, the TVDL becomes invalid, and the motorist can be ticketed for driving without a license; however, the TVDL will be restored if the motorist appears in court with proof of insurance.

If someone with a TVDL is stopped, will law enforcement know that the person is undocumented?

TVDLs will be available to both visa holders and undocumented immigrants, so law enforcement officers will not know and cannot assume that a driver with a TVDL is undocumented.

Will the TVDL be valid outside Illinois?

Other states will decide individually whether to accept Illinois TVDLs. Anyone planning to drive in another state should check whether that state accepts TVDLs.

Does the TVDL grant any status to undocumented immigrants?

No. Immigration status is a matter of federal law. TVDLs issued under state law cannot convey any immigration status. TVDLs would do nothing more than enable undocumented immigrants to comply with our state's traffic laws.

For more information, call ICIRR at 312 332-7360 or www.icirr.org.