

# GREEN LIGHT NY: Driving Together

Will my personal information be protected by the DMV ?



Under the Greenlight bill **S1747**:

- ICE will need an individual judicial warrant to access information held by the DMV.
- The law would expressly prohibit discrimination against a holder.
- Possession of a standard driver's license may not be used as evidence of citizenship or immigration status.
- The legislation incorporates privacy protections to limit unfettered data searches by federal government.
  - o Documents used to determine eligibility will not be retained
  - o Immigration status will not be recorded
  - o The DMV cannot keep records showing whether a person has a standard license or federal purpose license and will not be public record.
  - o Data requests will require individual consent or a judicial warrant before disclosure.
  - o If a request for data is made in bad faith the Commissioner can deny it.
- A standard driver's license can prevent a simple traffic infraction from resulting in arrest and deportation.

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*Under the current system:*

In fall 2017, the New York State DMV released its plan to be REAL ID compliant. The agency will now offer three separate options for New Yorkers in need of a driver's license in New York.

These include:

- an **Enhanced License** ( currently exists )
  - a **REAL ID License** ( new ): can be used for federal and state purposes, will require an office visit to prove: one's identity, NY State residency, lawful presence in the United States, and social security status, and will have a star displayed on the document.
  - a **Standard License** ( new ): will not require an office visit to replace or renew and has "NOT FOR FEDERAL PURPOSES" displayed on the document if issued after October 30, 2017.
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- If you apply for a REAL ID driver's license, all of the documents you bring to the DMV will be scanned and stored by the state for 10 years.
  - If you apply for a standard driver's license, you can ask the DMV not to scan and store your documents. It is up to you to say that you do not want your documents to be scanned--if you ask them not to the DMV will not have access to keep copies of your documents.

**For general information or to be connected with an organization leading the campaign in your region, contact:**

**New York Immigration Coalition at ( 212 ) 627-2227 or [mzaldivar@nycic.org](mailto:mzaldivar@nycic.org)**

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