



AB60 AFTER THE ELECTION: **KNOW YOUR RIGHTS**

Making the best decision for you

After the presidential election, many questions have come up, including the impact on AB 60 licenses as well as the security of AB 60 license information.

AB 60 has changed lives across California. As of September 2016, **over 778,000 people have received AB 60 licenses**. That's almost as many people as the population of San Francisco! Many Californians are now driving with an AB 60 license to meet their basic needs, like driving their children to school, driving their loved ones to the hospital, and going to work.

Q: I already have an AB 60 license. Is my information safe?

A: There are confidentiality and anti-discrimination protections in place through existing state laws. Within the California driver's license database, AB 60 license are not marked differently from other California driver licenses. This means that ICE or law enforcement cannot look for AB 60 license holders based *only* on the fact that you have an AB 60 license.

Advocates and organizers are also working to see if additional protections could be added to help further safeguard driver's license information.

Q: Is the information I provide to the DMV confidential?

A: The documents you provide to the DMV to prove your identity, name, residency, and age are not a public record and the DMV may not disclose this information, except when requested by a law enforcement agency as part of an investigation, including potentially Immigration and Customs Enforcement (ICE). DMV would only provide this information to ICE if the federal agency is already looking for a specific person as part of an investigation.

Q: I haven't applied for an AB 60 license. Should I apply for an AB 60 license?

A: More than ever, new AB 60 applicants will need to weigh the benefits and risks of not driving, driving without a license, and applying for an AB 60 license. This is because applying for and obtaining a license will place your name and address in the DMV database, which U.S. Immigration and Customs Enforcement (ICE) can access when it is looking for a specific person. Before the election, [the Drive California Coalition explained that this risk depends on your individual situation and needs](#). For example, if you fall under the Priority Enforcement Program categories (certain convictions, past deportations, etc), the Coalition suggested you exercise caution and consult an attorney before applying for an AB 60 license.

We currently do not have the details of any deportation program or practices that might be implemented under the Trump administration, but we expect the new administration to go above and beyond the current deportation program. As such, if you have had prior arrests or contact with law



enforcement or immigration, you should consult an immigration attorney before applying for an AB 60 license.

Q: Does AB 60 contain protection from discrimination?

A: The law prohibits state or local government agencies, officials, or programs that receive state funds from discriminating against someone because he or she holds or presents an AB 60 license. This includes state and local law enforcement officials. Additionally, AB 60 specifies that it shall be a violation of law, including, but not limited to, a violation of the Unruh Civil Rights Act, to discriminate against an individual who holds or presents an AB 60 driver's license. To monitor potential discrimination, AB 60 requires the California Research Bureau to compile and submit a report to the Legislature and the Governor about any incidents of discrimination perpetrated on holders of marked licenses.

Q: What “Know Your Rights” tips do you have for AB 60 license holders?

A: You may be at risk when presenting your AB 60 license to a law enforcement officer in another state, depending on the laws and policies of that state.

Do not attempt to use your AB 60 to enter restricted areas of federal facilities, pass through TSA screening at airports, or verify your identity to federal law enforcement officers, including Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP).

When talking to or in front of law enforcement, anything you say can be used against you – don't talk about your immigration status, citizenship, when or you came to the US, or where you were born.

For a more complete Know Your Rights information related to AB 60 licenses, [please read this document](#).

We invite you to join the Drive CA coalition by emailing driverslicense@caimmigrant.org or visiting www.driveca.org. You can find resources to educate yourself and your community about AB 60 at the Drive CA website and at the DMV.