

SANTA FE COUNTY

RESOLUTION NO. 2011- 13

A RESOLUTION

**URGING THE NEW MEXICO STATE LEGISLATURE TO MAINTAIN THE EXISTING NEW MEXICO DRIVER'S LICENSE LAWS AS THEY RELATE TO THE ISSUANCE OF DRIVERS' LICENSES, IRRESPECTIVE OF IMMIGRATION STATUS.**

**WHEREAS**, on January 26, 2010, the Board of County Commissioners of Santa Fe County adopted Resolution No. 2010-20 reaffirming Santa Fe County's commitment to civil rights and equal access to County services including public safety protection regardless of immigration status;

**WHEREAS**, in 2003, the Legislature amended NMSA 1978, Section 66-5-9(B) in order to allow an applicant to use an Individual Taxpayer Identification Number (ITIN) in lieu of a social security number when applying for a New Mexico driver's license; and to authorize the Secretary of the New Mexico Taxation and Revenue Department to establish by regulation other documents that may be accepted as a substitute for a social security number or an ITIN;

**WHEREAS**, in January 2008, the National Immigration Law Center ("NILC") issued a fact sheet entitled "Why Denying Driver's Licenses to Undocumented Immigrants Harms Public Safety and Makes Our Communities Less Secure";

**WHEREAS**, recent facts reported by the media stated that four of the states that provide licenses to undocumented immigrants fall below the national average for uninsured motorists, including New Mexico, whose uninsured rate dropped from 33% in 2003 to 9% in 2010;

**WHEREAS**, the AAA Foundation for Traffic Safety describes unlicensed drivers as "among the worst drivers on the road" and found that unlicensed drivers are almost five times more likely to be in a fatal crash than are validly licensed drivers;

**WHEREAS**, local law enforcement personnel can quickly identify immigrants and check their record without having to examine documents in foreign languages during stops or investigations;

**WHEREAS**, local law enforcement personnel can also access Motor Vehicle Division records to obtain photos, information and last known addresses;

**WHEREAS**, when undocumented persons do not have social security numbers but have the ability to obtain drivers' licenses, local law enforcement can easily track these individuals who have outstanding warrants or citations, who are repeat offenders, and who are delinquent in their child support payments;

**WHEREAS**, one of the primary concerns of Santa Fe County is that the 2011 Legislature may amend existing state laws relating to the application and issuance of drivers' licenses to immigrants so that undocumented persons may no longer be able to obtain a New Mexico driver's license; and

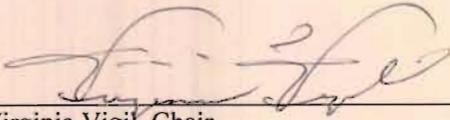
**WHEREAS**, in the interest of public safety, the Board hereby expresses its support of maintaining existing state laws relating to the application and issuance of drivers' licenses during the 2011 Legislative Session.

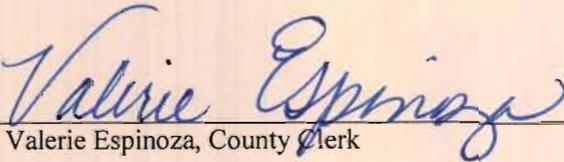
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY as follows:**

1. The Board of County Commissioners hereby urges the New Mexico State Legislature to maintain the existing New Mexico driver's license laws as they relate to the issuance of drivers' licenses, irrespective of immigration status.
2. The Board of County Commissioners directs the County Clerk to forward a copy of this resolution to the Governor of the State of New Mexico, and the County of Santa Fe's legislative delegation.

**PASSED, APPROVED, and ADOPTED** this 25<sup>th</sup> day of January, 2011.

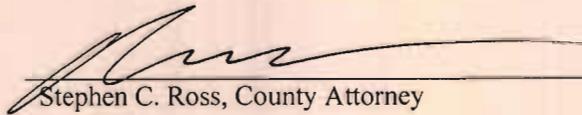
**THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY**

  
 \_\_\_\_\_  
 Virginia Vigil, Chair

  
 \_\_\_\_\_  
 Valerie Espinoza, County Clerk



**APPROVED AS TO FORM:**

  
 \_\_\_\_\_  
 Stephen C. Ross, County Attorney



COUNTY OF SANTA FE            )  
 STATE OF NEW MEXICO        ) ss

BCC RESOLUTIONS  
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I Hereby Certify That This Instrument Was Filed for  
 Record On The 27TH Day Of January, 2011 at 11:13:57 AM  
 And Was Duly Recorded as Instrument # **1625024**  
 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
 \_\_\_\_\_ Valerie Espinoza  
 Deputy County Clerk, Santa Fe, NM

SFC CLERK RECORD/191/27/2011