

SB 13-FN - AS AMENDED BY THE HOUSE

01/30/2025 0144s  
22May2025... 1934h

2025 SESSION

25-0219  
11/06

SENATE BILL **13-FN**

AN ACT           invalidating out-of-state driver's licenses issued to undocumented immigrants and prohibiting driver's license issuance and renewal to individuals with pending asylum claims, regardless of a grant of temporary work authorization.

SPONSORS:       Sen. Gannon, Dist 23; Sen. Lang, Dist 2; Sen. Innis, Dist 7; Sen. Ward, Dist 8; Sen. Sullivan, Dist 18; Sen. Avar, Dist 12; Sen. Birdsell, Dist 19; Sen. Rochefort, Dist 1; Sen. Murphy, Dist 16; Rep. Weyler, Rock. 14; Rep. Vose, Rock. 5; Rep. L. Walsh, Rock. 15

COMMITTEE:     Judiciary

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AMENDED ANALYSIS

This bill invalidates out-of-state driver's licenses issued specifically to undocumented immigrants, and prohibits the director of the department of motor vehicles from issuing or renewing a driver's license for a person with a pending asylum claim, notwithstanding employment authorization.

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Explanation:     Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT           invalidating out-of-state driver's licenses issued to undocumented immigrants and prohibiting driver's license issuance and renewal to individuals with pending asylum claims, regardless of a grant of temporary work authorization.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 New Paragraph; Driver's License Penalty; Undocumented Immigrants; Invalid License.  
2 Amend RSA 263:1 by inserting after paragraph III the following new paragraph:

3           IV. If a driver's license is of a class of licenses issued by another state exclusively to  
4 undocumented immigrants who are unable to prove lawful presence in the United States when the  
5 licenses are issued, the driver's license, or other permit purporting to authorize the holder to operate  
6 a motor vehicle on public roadways, is invalid in this state and does not authorize the holder to  
7 operate a motor vehicle in this state. Such classes of licenses include licenses that are issued  
8 exclusively to undocumented immigrants or licenses that are substantially the same as licenses  
9 issued to citizens, residents, or those lawfully present in the United States but have markings  
10 establishing that the license holder is not lawfully present in the United States.

11           (a) Law enforcement officers or other authorized representatives of the department shall  
12 not initiate a traffic stop solely on suspicion of a violation of RSA 263:1, IV.

13           (b) The department, to facilitate the enforcement of this paragraph and to aid in  
14 providing notice to the public and visitors of invalid licenses, shall maintain on its website a list of  
15 out-of-state classes of driver's licenses that are invalid in this state. The department shall update  
16 this list no later than annually. Any state on this list may contact the department to have  
17 themselves removed from the list if the state can demonstrate in that state's laws or regulations that  
18 the type of license listed on the department's website is not issued exclusively to undocumented  
19 immigrants.

20           (c) Any person in violation of this statute shall be guilty of a violation. For a second or  
21 subsequent offense, the person shall be guilty of a class B misdemeanor.

22           2 Driver's License Compact; Undocumented Foreign State Licenses Invalid. Amend RSA  
23 263:77, I(b)(2) to read as follows:

24           (2) ***Except as specified in RSA 263:1, IV, [Make] make*** the reciprocal recognition  
25 of licenses to drive and eligibility therefor more just and equitable by considering the overall  
26 compliance with motor vehicle laws, ordinances and administrative rules and regulations as a  
27 condition precedent to the continuance or issuance of any license by reason of which the licensee is  
28 authorized or permitted to operate a motor vehicle in any of the party states.

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**- Page 2 -**

1           3 New Paragraph; Driver's License Renewal:Pending Asylum Cases; Amend RSA 263:10 by  
2 inserting after paragraph II the following new paragraph:

3           III. The department shall not renew a driver's license for a person with a pending asylum  
4 claim, regardless of a previous or current grant of work authorization.

5           4 New Section; Driver's License Issuance to Nonresident Aliens: Asylees. Amend RSA 263 by  
6 inserting after section 263:39-b the following new section:

7           263:39-c Driver's License Issuance to Nonresident Alien Asylees. Notwithstanding RSA 263:39-  
8 a, the commissioner shall not issue a driver's license to a person granted asylee status by United  
9 States Customs and Immigration Service (USCIS) until that person's application for adjustment of  
10 status to be a lawful permanent resident of the United States has been granted, regardless of any  
11 prior employment authorization.

12           5 Effective Date. This act shall take effect 60 days after its passage.

**SB 13-FN- FISCAL NOTE  
AS AMENDED BY THE SENATE (AMENDMENT #2025-0144s)**

AN ACT                invalidating out-of-state driver's licenses issued to undocumented immigrants.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
<b>Expenditures*</b>	Indeterminable			
<i>Funding Source</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	Indeterminable			
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	Indeterminable			

**METHODOLOGY:**

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: [https://gencourt.state.nh.us/lba/Budget/Fiscal\\_Notes/JudicialCorrectionalCosts.pdf](https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf)

The Department of Safety states any impact to the Division of Motor Vehicles to administer this bill would be absorbed within its normal, routine operating budget levels.

**AGENCIES CONTACTED:**

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections,  
Department of Safety, New Hampshire Association of Counties, and New Hampshire Municipal  
Association