HB 1118 - AS AMENDED BY THE HOUSE

7Mar2024... 0637h

2024 SESSION

24-2525
11/10

HOUSE BILL ***1118***

AN ACT relative to the issuance of drivers' licenses for aliens temporarily residing in New Hampshire.

SPONSORS: Rep. S. Smith, Sull. 3

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill further delineates requirements regarding issuance of nonresident alien drivers' licenses.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to the issuance of drivers' licenses for aliens temporarily residing in New Hampshire.

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

1 Drivers' Licenses; Nonresident Aliens. Amend RSA 263:39-a to read as follows:

263:39-a License for Aliens Temporarily Residing in New Hampshire.

I. ***Notwithstanding RSA 263:40-a,*** the director may issue a New Hampshire driver's license to a nonresident alien who is living in New Hampshire on a temporary basis:

(a) For the purposes of attending a public or private educational institution which has a regular faculty, curriculum, and organized body of pupils or students in attendance and is enrolled in such education institution;

(b) For the purposes of engaging in lawful employment, occupational, or business activity, and is engaged in such activity; or

(c) Who is the spouse or child of an alien licensed under this section.

II. The director [~~may~~] ***shall*** require [~~any of~~] the following:

(a) Certification from the foreign government regarding the person's driving record and licensing status***, or proof of previous vehicle operation in the foreign country or proof of completion of an approved driver education course acceptable to the director, or written or other testing;***

(b) Submission of social security number, or, if the person does not qualify for such a number, the submission of certification to that effect as is acceptable to the commissioner[~~.~~]***;***

[~~(c) Written or other testing~~.

~~(d)~~]***(c)*** Proof of compliance with the conditions set forth in paragraph I[~~.~~]***; and***

[~~(e)~~]***(d)*** Proof of identification as may be acceptable to the director.

[~~(f) Proof of previous vehicle operation in the foreign country or proof of completion of an approved driver education course acceptable to the director.~~]

II-a. A driver's license issued to a nonresident alien under this section shall not be considered valid identification of identity or residence for state voter registration or any other purpose related to local, state, or federal voting.

III. The term of the license shall be no longer than 5 years from the date of issuance, and the director may set a lesser term in accordance with the length of the person's residence in New Hampshire.

IV. Nothing in this chapter shall preclude the director from denying a license if the director determines that licensure of the person may be contrary to the public safety. Once licensed, the

individual shall be subject to the same provisions of the law as all other licensees. When the person no longer meets the conditions specified in paragraph I, the person shall forthwith return the license to the director and the license shall become invalid.

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

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

3 New Paragraph; Form of License; Nonresident Aliens. Amend RSA 263:40 by inserting after paragraph III the following new paragraph:

IV. Nonresident alien drivers' licenses issued pursuant to RSA 263:39-a shall bear the name, address, date of birth, gender indicated as "M" for "male," "F" for "female," or "X" for "other," organ donor status (optional), picture, and signature of the applicant. The driver's license card shall bear a marking indicating that it is a nonresident alien driver's license.

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