

Amendment to SB 13-FN

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 New Paragraph; Driver's License Penalty; Undocumented Immigrants; Invalid License.

4 Amend RSA 263:1 by inserting after paragraph III the following new paragraph:

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

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

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

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

24 2 Driver's License Compact; Undocumented Foreign State Licenses Invalid. Amend RSA
25 263:77, I(b)(2) to read as follows:

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

31 3 Effective Date. This act shall take effect 60 days after its passage.