

HB 452-FN - AS INTRODUCED

2025 SESSION

25-0907

11/08

HOUSE BILL **452-FN**

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

SPONSORS: Rep. T. Walsh, Merr. 10; Rep. Hill, Merr. 2; Rep. Osborne, Rock. 2; Rep. Sweeney, Rock. 25; Rep. Cambrils, Merr. 4; Rep. Gagne, Hills. 16; Rep. Packard, Rock. 16; Rep. S. Smith, Sull. 3; Rep. Gorski, Hills. 2; Rep. Roy, Rock. 31; Sen. Abbas, Dist 22; Sen. Murphy, Dist 16

COMMITTEE: Transportation

ANALYSIS

This bill further delineates requirements regarding issuance and renewal 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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Five

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 1 New Paragraph; Lawful Permanent Residency; Driver's License Renewal. Amend RSA 263:10
2 by inserting after paragraph II the following new paragraph:

3 III. The department shall not renew a driver's license for any person who is not a United
4 States citizen and cannot prove that they are a lawful permanent resident of the United States.

5 2 Drivers' Licenses; Nonresident Aliens. Amend RSA 263:39-a to read as follows:

6 263:39-a License for Aliens Temporarily Residing in New Hampshire.

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

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

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

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

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

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

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

22 ~~[(e) Written or other testing.~~

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

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

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

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

30 III. The term of the license shall be no longer than 5 years from the date of issuance, and the

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1 director may set a lesser term in accordance with the length of the person's residence in New
2 Hampshire.

3 IV. Nothing in this chapter shall preclude the director from denying a license if the director
4 determines that licensure of the person may be contrary to the public safety. Once licensed, the
5 individual shall be subject to the same provisions of the law as all other licensees. When the person
6 no longer meets the conditions specified in paragraph I, the person shall forthwith return the license
7 to the director and the license shall become invalid.

8 3 New Section; Driver's License Issuance to Nonresident Aliens: Asylees. Amend RSA 263 by
9 inserting after section 263:39-b the following new section:

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

15 4 New Paragraph; Form of License; Nonresident Aliens. Amend RSA 263:40 by inserting after
16 paragraph III the following new paragraph:

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

21 5 Effective Date. This act shall take effect 60 days after its passage.

**HB 452-FN- FISCAL NOTE
AS INTRODUCED**

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

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$25,000	\$0	\$0
<i>Funding Source(s)</i>	Restricted - Highway Fund Cost of Collections - Per the state constitution, costs associated with the collection/administration of highway fund revenue by the Department of Safety is deducted prior to funds being credited as unrestricted highway fund revenue			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill:

- Prohibits the Department of Safety, Division of Motor Vehicles (DMV), from renewing a license for any non-US citizen unless they are a permanent resident.
- Requires a non-US applicant to produce proof of vehicle operation in their home country, proof of an approved driver education course, or completion of written and other testing.
- Prohibits DMV from issuing licenses to asylees until they have been granted permanent resident status, regardless of prior work employment authorization.
- Requires DMV to add a marking to all licenses issued to a nonresident alien.

The Department of Safety states it would incur a one-time cost of \$25,000 in FY 2026 for expenses associated with the design of a new identification card that designates that the license holder is not a US Citizen, and DMV system changes.

AGENCIES CONTACTED:

Department of Safety

