

Date of Hearing: March 22, 2021

**ASSEMBLY COMMITTEE ON TRANSPORTATION**

Laura Friedman, Chair

AB 771 (Bennett) – As Introduced February 16, 2021

**SUBJECT:** Vehicles: driver's licenses

**SUMMARY:** Waives the Driver's License (DL) fee for an unhoused person. Specifically, **this bill:**

- 1) Waives the DL fee for a homeless person, as defined.
- 2) Defines "homeless person" the same as a homeless person under the federal McKinney-Vento Homeless Assistance Act, which includes the following:
  - a) An individual or family who lacks a fixed, regular, and adequate nighttime residence.
  - b) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.
  - c) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing.
- 3) Provides that a homeless service provider that has knowledge of the person's housing status may verify the person's status as homeless.
- 4) Defines a homeless service provider to include a governmental or nonprofit agency receiving government funding to provide homeless services, a California licensed attorney, a local educational agency liaison for homeless children and youth, a public social services provider, a law enforcement officer with certain designations, or any other homeless services provider the Department of Motor Vehicles (DMV) determines to have eligibility.

**EXISTING LAW:**

- 1) Waives the identification card (ID card) fee for unhoused persons.
- 2) Authorizes DMV to issue an ID card to any person who provides their true full name, correct age, and any other identifying data as required by DMV.
- 3) Provides that every application for an ID card be signed and verified by the applicant, as specified, and requires the applicant to provide a legible thumb or finger print.
- 4) Allows any person 62 years of age or older, to apply for and receive an ID card bearing the notation "Senior Citizen" if specific requirements are met.

- 5) Establishes a \$26 fee to be paid to DMV for the issuance of an ID card, adjusted for inflation.
- 6) Specifies that the issuance of an original or replacement ID card for a senior citizen shall be issued free of charge.

**FISCAL EFFECT:** Unknown.

**COMMENTS:** According to the author, “It is important that individuals who are experiencing homelessness are protected and have resources to guide them toward stability. They deserve access to the same resources and opportunities that they would have if they were not homeless. This includes access to an updated driver’s license, which if it were expired, could result in accrued parking violations and unaffordable car towing fees. Safe Parking Santa Barbara has made significant progress in helping individuals avoid violations and towing fees by giving them a safe place to park their cars overnight. AB 771 aims to further support homeless individuals by waiving the fees associated with renewing a driver’s license. Having a current driver’s license would allow these individuals to apply for jobs and take the steps necessary to improve their lives.”

AB 1733 (Quirk Silva), Chapter 764, Statutes of 2014, created a process for DMV to waive the fee for an ID card for homeless individuals. The rationale given at the time for the fee waiver was because “many people experiencing homelessness lack the necessary forms of personal identification needed to establish their eligibility for various public assistance and social programs. The most common forms of ID that people need in order to access these programs are birth records and a valid, government-issued photo ID.”

Since fiscal year 2018-2019 DMV has issued 133,194 free ID cards to homeless individuals. DMV issued 107,420 cards in 2019-20, and to date in the 2020-21 fiscal year DMV has issued 51,815 ID cards.

ID cards are especially important for unhoused individuals. According to a survey from the National Law Center on Homelessness and Poverty (NLCHP), in a given month in 2004, 54% of homeless people without photo ID were denied access to shelters or housing services, 53% were denied food stamps, and 45% were denied access to Medicaid or other medical services.

According to the Legislative Analysis Office, California has a disproportionately large homeless population. Over 151,000 Californians are estimated to be homeless. According to the Homeless Policy Research Institute, 27% of the national homeless population is in California. 72% of those who are homeless in California are also unsheltered, the highest share of unsheltered homeless of any state. In fact, half of the people experiencing unsheltered homelessness reside in California.

A recent survey by NLCHP, which tracks policies in 187 cities, found the number of prohibitions against vehicle residency has more than doubled during the last decade. "Much like outdoor camping and sleeping bans, city-wide restrictions on living in vehicles may leave no lawful place where homeless people may live in a community," NLCHP stated. "Bans that permit vehicle impoundment, or that result in impoundment flowing from unpaid tickets or other enforcement of such bans, can cause homeless people to lose their shelter, transportation, and personal belongings in one fell swoop – with no realistic option to retrieve or replace them...While not a

long-term solution, many homeless advocates are urging cities to start more seriously thinking about safe parking programs – in which certain lots are designated for people living out of their cars – as vehicular homelessness continues to climb.”

In Los Angeles County alone, there are over 15,700 people living in their vehicles each night, representing 25% of people experiencing homelessness. Parking restrictions and city ordinances prohibiting people from sleeping in cars can often make living in a car an expensive endeavor. Cities like Los Angeles have created something called “Safe Parking Programs,” which provide parking lots for the unhoused to sleep in to avoid hefty fines or even tows that the city may enforce for parking in the wrong place.

Many of these Safe Parking Program lots require someone to have a valid driver’s license. While \$38 may not be a lot of money for many people, it is nearly one-fourth of the monthly allowance the state provides to a single low income individual under CalFresh benefits for food.

Western Center on Law and Poverty, writing in support of this bill, argued “A driver’s license is key to a person being able to find a job. Many employers require that an applicant for a job have a valid driver’s license. The Back on the Road Coalition noted in their 2015 report *Not Just a Ferguson Problem* that “the Brookings Institute had found in a survey of fourteen cities across the country that while 72% of employed respondents had access to a car and a valid driver’s license, only 37% of unemployed respondents did. Among residents of Oakland, California, 67% of employed respondents had a valid driver’s license and a car, and only 36% of unemployed respondents did.

Having identification is also key to accessing public benefits. Programs such as Medi-Cal, CalFresh, CalWORKs, SSI, and other programs critical for extremely low income Californians all require identification as part of the application and eligibility determination process.

While individuals can currently get an identification card for this purpose, a driver’s license is far more useful since it opens the doors to employment opportunities that often require a valid license or which involves driving for the employer.”

Extending the state’s provision that allows low-income individuals to get a free ID card to also allow them to get a free DL may be prudent for unhoused individuals. It would remove a financial barrier that may limit unhoused individuals’ ability to park in certain cities without the risk of receiving parking tickets and having their vehicle towed.

#### *Previous Legislation:*

AB 1733 (Quirk Silva), Chapter 764, Statutes of 2014, created a process for DMV to waive the fee for an ID card for homeless individuals.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

Housing California  
New Beginnings Safe Parking Program  
Western Center on Law & Poverty, INC.

**Opposition**

None on file

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