



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	Department of Motor Vehicles
VAC Chapter Number:	24 VAC 20-70 (including sections 10 through 50)
Regulation Title:	Regulations Governing Requirements for Proof of Residency to Obtain a Virginia Driver's License or Photo Identification Card
Action Title:	Repeal
Date:	March 6, 2003

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

The regulatory action will address the processes and requirements by which driver's licenses, commercial driver's licenses, photo-identification cards, learner's permits and/or temporary permits are issued by the Department of Motor Vehicles (DMV). In recent years the application process for these DMV-issued documents, including the documents that have been accepted as proof of identity and residency, have become the target of significant fraud and abuse. This regulatory action, which seeks to repeal current regulations pertaining to proof of residency, is intended to modify the procedures and requirements associated with the application process for driver's licenses, commercial driver's licenses, photo-identification cards, learner's permits and/or temporary driver's permits. The primary purpose of the repeal is not to eliminate the requirement that an applicant prove residency, but to eliminate the use of certain documents that DMV is required to accept for proof of residency which are unreliable as proof of Virginia residency or

could potentially become the targets of fraud or abuse. This action would provide the agency with the flexibility to modify procedures and requirements in the event that fraud or abuse is detected in the process or unreliable documents are identified.

Finally, with the passage of HB 638 and SB 162 in the 2002 General Assembly, the authority for DMV to accept form DL 51 (certification of residency) was statutorily repealed. This action to repeal the proof of residency regulations would serve to eliminate the resulting inconsistency between statute and regulations.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

The Virginia Department of Motor Vehicles adopted the final *Regulations Governing Requirements for Proof of Residency to Obtain a Virginia Driver's License or Photo Identification Card* (24 VAC 20-70) on March 6, 2003.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

Pursuant to Va. Code § 46.2-203, the Department of Motor Vehicles (DMV) is authorized to adopt regulations necessary to carry out the laws administered by the Department. Furthermore, pursuant to Va. Code § 46.2-323 and 46.2-345, DMV may adopt regulations to determine the process by which applicants prove that they are residents of the Commonwealth. In each of the foregoing instances, the authority to promulgate regulations is permissive. Because the Commissioner's authority to promulgate regulations in these matters is permissive, the Commissioner also has, by implication, the authority to modify, amend, or repeal any regulations promulgated under such authority.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not

acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

The regulatory action will address the process and requirements by which driver's licenses, commercial driver's licenses, photo-identification cards, learner's permits and/or temporary driver's permits (DMV credentials/documents) are issued by the Department of Motor Vehicles (DMV). The regulations that are the subject of this action were implemented in 1994 in response to legislation which created a new residency requirement for obtaining a Virginia DMV credential/document and which permitted, but did not require, the agency to promulgate regulations pertaining to proof of residency. This action is necessary to address a threat to public safety and is essential to protect the safety and welfare of citizens of the Commonwealth and to protect and enhance national security.

This proposed action includes repeal of regulation number 24VAC20-70-30, which will eliminate the requirement that DMV accept the Residency Certification Form (DL 51) when an applicant for a driver license or identification card does not provide an acceptable document for proof of residency (Section D). It will also eliminate the list of acceptable documents (Section C). The repeal will allow the agency the administrative discretion to determine what documents are acceptable and will enable the agency to develop the most effective process for the prevention of fraud.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

DMV is proposing this regulatory action, which consists of repeal of existing regulations in order to address certain processes and requirements by which driver's licenses, commercial driver's licenses, photo-identification cards, learner's permits and/or temporary driver's permits are issued by DMV. Specifically this regulatory action will repeal 24 VAC 20-70, including the regulations contained in sections 10 through 50 pertaining to proof of residency requirements for these DMV-issued documents.

This proposed repeal is necessary to address a threat to public safety and is essential to protect the safety and welfare of citizens of the Commonwealth and to protect and enhance national security.

In recent years the process for obtaining a driver's license and photo-identification card has been subjected to widespread abuse and fraud, primarily by an industry consisting of criminal organizations and facilitators who assist non-Virginia residents, many of them immigrants, in obtaining Virginia driver's licenses and/or identification cards by fraudulent means. These organizations and facilitators victimized immigrants by charging them large sums for assistance in obtaining driver's licenses and identification cards and by encouraging the immigrants to, in

the application process, submit falsified Residency Certifications (DL-51s) which were executed by facilitators or their agents who attested to the false information contained therein. The magnitude of this abuse is evidenced by the trial and conviction of a facilitator in U.S. District Court. This facilitator had established a lucrative business, in which thousands of victims were brought to Virginia from New Jersey, New York and Maryland on a routine basis in order to obtain a Virginia driver's license or identification card by fraudulent means. The primary defense put forth by the defendant in the case was the assertion that DMV promoted or encouraged this activity by virtue of the fact that the agency had created and permitted the use of these forms in the application process for photo-identification cards and driver's licenses. Federal prosecutors in the case strongly encouraged elimination of the forms.

The DL-51 was eliminated by emergency regulatory action and eventually by legislation (HB 638 and SB 162), and hence, photo-identification cards and driver's licenses issued after September 21, 2002 were less likely to be the product of fraudulent DL-51s. However, a significant percentage of the photo-identification cards and driver's licenses in circulation today, which, according to regulations are acceptable as proof of residency, may have been issued based on potentially fraudulent documentation. In addition, as a result of a recent review by DMV of other documentation accepted in the application process as proof of residency, it has become apparent that several of these documents are likewise subject to abuse and fraud and may be targeted by criminal organizations and facilitators in lieu of the discontinued DL-51s. Accordingly, the permanent repeal of 24VAC20-70, including sections 10 through 50, is necessary to ensure that driver's licenses, commercial driver's licenses, photo-identification cards, learner's permits and temporary driver's permits are henceforth issued under the strictest and most reliable standards possible.

This action is essential to protect public safety and welfare and enhance state and national security. The abuse and misuse of the application process by criminal organizations, facilitators and those who seek to carry out attacks against the United States and its citizens results in the issuance of driver's licenses and identification cards based upon false identity and/or address information and poses a threat to public health, safety and security by hindering the ability of DMV and law enforcement to accurately identify and locate individuals. These documents tend to be breeder documents and are used by the bearer to accumulate additional identification documents to further substantiate the individual's potentially fraudulent identity, residency and/or location. Furthermore, as long as documents which are subject to abuse are utilized in the driver's license and identification card application process, criminal organizations, facilitators and their agents will likely continue to utilize the process to victimize immigrants seeking such documentation. Hence, it is critical for DMV to have the authority to impose stringent and new requirements upon the application process and/or the documents used to prove residency. In particular, it is necessary for the agency to maintain the flexibility to discontinue use of a particular document should it become subject to widespread fraud and abuse, or should a determination be made that a document is no longer reliable as proof of Virginia residency.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions;

2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

The primary disadvantage/inconvenience of this regulatory action is to members of the public who seek Virginia driver's licenses, commercial driver's licenses, photo identification cards, learner's permits or temporary driver's permits. As a result of the statutory "repeal" of the Residency Certification (DL-51), applicants are required to provide documentary proof of Virginia residency. Further tightening of the proof of residency requirements by the repeal of regulations and rescission of the use of documents which are unreliable as proof of residency or subject to fraud and abuse may render it more difficult for applicants to prove residency.

The primary advantage of this regulatory action is directed at members of the general public. Tightening the requirements for obtaining Virginia DMV credentials/documents by increasing the standard for proving Virginia residency will serve to ensure that only those individuals who are lawfully entitled receive these credentials/documents. The agency will no longer be required to accept as proof of Virginia residency classes of documents which are unreliable as proof of residency or subject to fraud and abuse. Increasing the standards for issuing DMV credentials/documents will also help to ensure that those who would inflict harm upon the citizens of Virginia and the United States do not target the Commonwealth in order to obtain DMV-issued credentials/documents, which often serve as breeder documents and enable those individuals who obtain them to obtain various identity documents from other states. Enhancing the standards for issuing Virginia DMV credentials/documents by requiring applicants to prove that they are residents of Virginia by means of reliable documentation will help to ensure that applicants who do not live in this Commonwealth are not able to obtain a Virginia DMV credential/document as a means of obtaining other states' credentials.

The advantage to DMV of repealing the residency regulations would be to afford the agency the flexibility to expeditiously act in situations where classes of documents are targeted for fraud or abuse or otherwise are known to be unreliable as proof of Virginia residency. Repeal of the residency regulations may present a disadvantage to the agency, as elimination of proof of residency documents which required no proof of Virginia residency to obtain, could generate complaints from applicants because of the inconvenience and added complexity associated with proving residency. In response, the agency is evaluating, and will continue to evaluate, other documents that may be accepted as proof of residency, as well as methods of verifying residency, in order to ameliorate the impact on applicants and the agency.

Although emergency statutory repeal of the Residency Certification impacted other state entities, particularly the Department of Education which issues documentation currently acceptable as proof of Virginia residency, it is not anticipated that repeal of the remainder of the residency regulations will have the same level of impact on such state agencies.

DMV has held public hearings to provide the public with opportunity to present their comments regarding these and other issues that may be presented by this regulatory action.

Statement of Changes Made Since the Proposed Stage

Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.

No changes have been made to these regulations since the proposed text was published in the Virginia Register of Regulations on September 9, 2002.

Public Comment

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

DMV gave notice of its intent to repeal the *Regulations Governing Requirements for Proof of Residency to Obtain a Virginia Driver's License or Photo Identification Card* in Volume 18, Issue 26 of the Virginia Register of Regulations. Public comment was requested for a period of 60-days beginning on September 9, 2002 and ending on November 9, 2002. To further solicit public involvement and input, DMV held five public hearings throughout the state to receive comments on: the repeal of the residency regulations; the issue of a legal presence requirement to obtain a Virginia driver's license, permit, or identification card; the use of biometric identifiers on driver's licenses; and modifications or enhancements to the identity and residency requirements in the application process for Virginia driver's licenses, permits, and identification cards. The following comments were received regarding the repeal of the residency regulations. A complete transcript of the public hearings can be found at www.dmvnow.com/exec/survey/hearings.asp.

The following is a summary of the written comments received by DMV.

- Mary Bauer, Virginia Justice Center for Farm and Immigrant Workers, supports making drivers licenses or identification cards available to all Virginia residents regardless of their immigration status as long as those persons can prove their residency in Virginia and their identity. "When we deny immigrants who reside in Virginia the ability to obtain a license, we force people underground, creating a class of vulnerable people who are terribly fearful of police apprehension".
- Tim Freilich, Virginia Justice Center for Farm and Immigrant Workers, "DMV should make changes to the driver's license and identification card requirements. The Virginia residency requirements must be refined to ensure that all Virginia residents are capable of providing proof of residency. If the current regulations are repealed, giving the Commissioner the power to amend the residency requirements, clear protections should be put in place to ensure that the requirements are not changed arbitrarily and without public comment. The Virginia residency requirement should in no way be used to prevent non-citizens, or those immigrants not lawfully present in the United States, from obtaining DMV documents."

- Mike Stollenwerk supports a "relaxation" of the current rigid "proof of residency documentation requirements" under the notion that this would make it easier for the DMV to allow folks to provide reasonable proof of physical residency in the Commonwealth.
- Olivia Faries wrote that the role of DMV is to ensure Virginia drivers are competent and to protect safety on our roads. Turning people away because of unreachable identity or residency standards will not make our highways or our country safer.
- The Virginia Coalition for Fair Access to Driver's Licenses issued a letter that stated DMV has already made countless changes clearly designed to prevent many Virginia residents from obtaining or renewing their licenses and identifications. These changes have imposed a de facto proof of legal presence requirement that does not serve the Commonwealth, and neither improves road safety nor national security. A Virginia driver's license should demonstrate three basic things: 1) the bearer of the license is the person he or she claims to be; 2) the bearer of the license has been tested and knows how to drive; and 3) the bearer of the license is a Virginia resident.
- Robert Soens urged the Commonwealth to establish, maintain, and enforce rigid residency requirements both to protect its citizens and to make up for its laxness in issuing licenses to the September 11 terrorists.

The following is a summary of the comments received at the DMV townhall meetings.

September 18, 2002 - Portsmouth

- Sandra Brandt with Step Up Incorporated, a pre-release and post-incarceration services agency, in Norfolk, VA, is concerned with identification cards and driver licenses for those being released from city jails, detention, diversion centers, and state correctional facilities. "First thing they need is an identification card. It's been problematic for us because of the residency issue." Brandt also states, "I would just urge that I think the track that you're going now on residency is the right track, and it would be helpful to us, once we get our form, if we have that information that is appropriate from DMV, then we might be able to speed up the process".
- Raquel Rosenbaum, education coordinator, Refugee and Immigration Services/Catholic Diocese of Richmond, supports tightening the residency requirements. "In the past, when we allowed all Virginia residents to get licenses, that insured that a great majority of the drivers on the road knew the proper driving techniques and the laws of the state. The Commonwealth should require two viable documents providing Virginia residency".
- Janice Sigala, Church of Saint Gregory the Great, stated, "To prove residency is very difficult for him as well. We're going to have to actually do something, falsify something in order for him to prove residency. I am also concerned for indigents, they cannot prove residency".
- James Albright, Catholic Diocese of Richmond with the Migrant Farm Worker Industry Office - "And so part of my appeal, and I don't know if it equates exactly to repeal of

residency requirements, but I understand that the bill that came before the legislature in Richmond even included tightening up of proving residency. I don't know how you prove residency in undocumented immigrants, because theoretically, they're not residents of the United States until they're recognized as residents, and whether or not they're residents as defined by the IRS or the state taxes whether you reside in Virginia."

- Robert Soens urges that the Commonwealth establish, maintain, and enforce rigid residency requirements both to protect its citizens and to make up for its laxness in issuing licenses to the September 11 terrorists.

September 19, 2002, Richmond Headquarters

- Mary Bauer, Virginia Justice Center for Farm and Immigrant Workers - "We support any driver's license or ID cards available to all Virginia residents regardless of their immigration status as long as that person can prove their residency in Virginia and identity. When we deny immigrants who reside in Virginia the ability to obtain a license we force people underground, creating a class of vulnerable people who are terribly fearful of police apprehension."
- Elisa Montalvo, director for the Hispanic Apostolate of Catholic Diocese of Richmond - "We by all means support proof of identity and proof of residency. So we need to have proof of identity documents that are not tied to immigration status."
- Dr. Stephen Colecchi, Catholic Diocese of Richmond, - "Establishing accurate identity and accurate residency to require primary document to prove the person is indeed a resident and living, working and paying taxes in Virginia. If they meet those criteria--if they are living and working here and they can prove who they are using an expanded list of documents, such as the consular ID and such as foreign passports....."

September 20, 2002, Fairfax County Government Center

- Senator Byrne, - "I do want to refresh memories on the legislative intent of SB 162, neither the House or my version did anything except layout you are who you say you are and you live where you say you live. That was the function of the legislation. I didn't know coming into this meeting that the regulations on residency were going to be addressed but I will just say that an administrative process does not give the public the kind of oversight it needs to look at what DMV is requiring and so rather than err on the side of fast and swift DMV if that is the question, I would err on the side of the public's right to know."
- Teresa Martinez, Hispanic Bar Association of the Commonwealth of Virginia - "I serve as a legislative chair. I was unaware as the previous speaker stated that the DMV was trying to change the regulations for residency but I'd like to speak to that after addressing the main issues. We believe that we should continue to work on the residency requirements and what the DMV has done on that issue in the past. That is where the focus of national security or

security for all Virginians should be. It should not be focused on identity documents. So what we call for immediately is that DMV revoke all out of state drivers licenses that were based on the documents signed showing residence--and I believe those were the forms which have been referred to residency forms or documents of affidavits for residency. We are against revoking regulations on residency. The purpose of that is under 24 Virginia Administrative Code is to have an open rule making process. You can not have an open rule making process if you take this out of the democratic process and have this be a closed door process."

- Delegate Jay O'Brien - "There are four purposes or potential purposes for a drivers license. First is to drive -- proof of driving competency; secondly, is identification; third is proof of residency; and fourth, possibly, would be legal proof of legal presence."
- Mr. James Edward Green, Sr., Department of Human Services, Office of Community Services, Virginia Cares, ex-offenders transition program - "People who have their license or identification can not get a change of address because they don't have all of the documents that DMV is asking for."
- Tim Freilich, managing attorney with the Virginia Justice Center for farm and immigrant workers - "In the interest of respecting the rights of all Virginia residents and creating safer roads and communities, the Virginia Coalition for fair access to licenses seeks to insure that all Virginia residents, including immigrants, have fair access to state issued drivers licenses and ID cards."
- Richard Cabellos, social services coordinator, Hispanic Committee of Virginia - "One of the main concerns we have is not only are undocumented Latinos being hurt by these DMV laws but so are legal residents. Lawful permanent residents, also called green card holders, do not have the I-94 document because they forfeit it when they become permanent. People with work permits do not have the I-94, although they are legally in the country and have social security numbers and pay taxes."

September 24, 2002, Roanoke

- German Morales - "My wife wasn't an American citizen, for a moment couldn't help her to go by, indeed, to get her ID card as the first thing, and she presented the documentation. She's in the process of acquiring her residency, but she already had papers that will allow her. Still these papers were not accepted at the moment, because they cannot doubt their validity of how good these papers were."

October 19, 2002, Alexandria

- Mike Stollenwerk - "First, on the three issues at hand I'd like to register my approval of the change in the regulations to give DMV the flexibility to administer residency requirements testing. That's something that needs, I think, a human hand at all times. Sometimes it's easy

to prove. Sometimes it's not easy to prove you live here. But the people that live here ought to be able to get driver's licenses. In California many people who are legally present still can't get driver's licenses".

- Malek Nasr - "Please, we would like to know and we would expect some changes in the harshness of proving residency at least."
- Carlos Castro - "My opinion on the repeal of the Virginia residency regulation is a positive one. I think this is going to make things easier for the DMV and for the community. We should go ahead and try to repeal it."
- Edgar Rivera, Virginia Coalition for Fair Access to Driver's Licenses - "Instead, they deny licenses and identification cards to thousands upon thousands of hardworking Virginia residents and make our roads and communities less safe. You must take control of this situation. You signed Chapter 767 into law following the last General Assembly session. It directed DMV to discontinue the practice of accepting residency certification forms to study this ability of imposing a proof of legal presence requirement and to consider the following modification of requirements or for obtaining a license or identification card. These changes have gone far beyond the dedicate of the law passed by those General Assembly. A Virginia driver's license should demonstrate three basic things: one, bearer of the license is the person he or she claims to be; two, the bearer of the license has been tested and knows how to drive; and, third, the bearer of the license is a Virginia resident. This so called terrorism loophole was closed by the General Assembly. Additional steps taken by the DMV have only served to unwisely deny license to thousands upon thousands of Virginia immigrants residence."
- Patricia Campos, Union of Needle Trades, Industrial and Textile Employees, and the Association of Latino Labor Members - "We need immigration reform to legalize the nine million undocumented workers in this country. In the meantime, the state needs to verify the identity of people, need to secure that our streets are safe, needs to make sure that people can get to and from work. And that's what the role of the DMV is. As representatives of the labor movement we are here to figure out how help the DMV do that. And one of the ways that we will think it will help is if you will in your requirements for identity you could -- we could offer the union card, that it -- showing the union card that workers belong to union cards as proof of identity and for proof of residency."
- Mr. Galeas - "They should know if I am a resident of the state of Virginia. That's all. This is what we are asking. Please, verify that I live in the state of Virginia. And I can have telephone bills, payment stubs."
- Mr. Ricardo Cabellos, coordinator, Social Services, Hispanic Committee of Virginia - "I have seen cases upon cases of clients who have had correct paperwork at the DMV but were discriminated against. Instead of documents such as the I94 we propose that three main documents be accepted. A passport with or without un-expired visa, a foreign birth certificate, consular photo IDs like the matricula consular that the Mexican Embassy offers. Not only are these three documents so important for our community that they have, we stress that we understand that to take control of the situation licenses should demonstrate three

basic things, the bearer of the license has been tested and knows how to drive, and the bearer of the license is a Virginia resident. That is all. And as united residents of the state of immigrants we demand that this treatment be stopped and let us live in a safe and fair Commonwealth."

- Marwan Burgan - "The issue, by the way, that generated the criticism against DMV was the loopholes in the residency issue. And we all know that the abuse that was done, that a lot of people from out of state -- obtained licenses before. The way to tighten this up is to tighten the residency issue to ensure that there is some verification of a person's address and also to provide perhaps criminal even sanctions against people who willingly testify that the person lives in an address when they don't, or when people do not update their addresses."
- Mireya Palacios - "I am a U.S. citizen. And I am coming here in behalf of my niece Sule Pineranda that couldn't get an ID card. She is working here legally. She has a passport with visa and picture ID, she has Social Security that's showing the address. She has bank statement as proof of residency. She has health insurance. We went two times to the DMV, the first time she couldn't get it because she forgot the bank statement as a proof of residence, even though -- even though the address was showing in the Social Security she couldn't get it because she didn't have the proof of residence which was the bank statement."
- Kimberli Constabile - "On residency I hope that you will also consider having a public information process on that as well in terms of -- I'm a bit concerned about if it's an administrative action rather than a legislative action what kind of input will happen along the lines."

Agency Response: In establishing the procedures and requirements for proof of residency for applications of driver's licenses, commercial driver's licenses, photo identification cards, learner's permits, and temporary driver's permits, DMV will continuously seek input and comments from individuals, businesses, and the community at-large to ameliorate the impact of the residency requirements on applicants, determine the security and reliability of the documents accepted as proof of residency, and protect the safety and welfare of citizens of the Commonwealth.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

This regulatory action proposes to repeal 24VAC 20-70, including the regulations contained in sections 10 through 50 pertaining to proof of residency requirements for these DMV-issued documents.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The potential impact upon families will be to alter the process and tighten the standards by which applicants (family members) are able to obtain driver's licenses and identification cards. Driver's licenses and photo identification cards are often used to identify the individual for purposes of various critical life-functions, including but not limited to, employment, obtaining government-provided benefits, law enforcement, and cashing checks, and while the proposed regulatory action will heighten the requirements associated with obtaining these documents, the result will be documents that are more reliable as forms of identification. Although the standards by which the documents affected by this regulatory action are issued will be heightened, DMV will be afforded sufficient discretion to address the needs of eligible applicants (and potentially their families) in special circumstances. The action is expected to have no impact upon families in the four factors provided above.