



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

For Immediate Release
August 23, 2019

News Release 2019-50

Hawaii Attorney General Joins Fight for Driver's Licenses for Immigrants

HONOLULU – Attorney General Clare E. Connors joined a coalition of nine states led by Connecticut Attorney General William Tong today in filing an amicus brief defending New York's Green Light Law, which authorizes the issuance of driving credentials to residents without regard to their federal immigration status.

The brief – filed in federal district court for the Western District of New York, where the Green Light Law faces challenge – argues that issuing and regulating personal driving credentials is a traditional and effective exercise of states' constitutionally-protected power to promote residents' safety and health.

“The states have the legal authority to issue driver's licenses to residents,” said Attorney General Connors. “Any policy that encourages more residents to obtain credentials to drive, positively impacts public safety.”

By passing the Green Light Law in June, New York became the fifteenth state or territory to authorize driver's licenses for immigrants.

When the law takes effect in December, approximately 110 million U.S. residents – fully a third of the nation's population – will benefit from living in a state that grants driving privileges based on relevant criteria such as passing a driving test, proving identity, paying a fee, and obtaining proper insurance – rather than immigration status.

The other 14 states and territories are California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maryland, New Mexico, Nevada, Puerto Rico, Utah, Vermont and Washington.

In July, Erie County Clerk Michael Kearns filed a federal lawsuit advancing the claim that federal immigration law preempts – or overrides – state authority to pass the Green Light Law.

In their brief, the states argue that the federal government has not preempted the issuance of state driving privileges, which has been the exclusive prerogative of the states since the first driver's license law was passed in the U.S. in 1903.

Data shows that states and their residents are safer and healthier when driver's licenses are granted to residents – regardless of their immigration status – who can prove their identity, pass tests and produce insurance.

In filing the amicus brief, Attorney General Connors joined the Attorneys General of California, Connecticut, Delaware, the District of Columbia, Illinois, Maryland, Nevada, and Washington.

A copy of the brief can be found [here](#).

#

For more information, contact:

Krishna F. Jayaram
Special Assistant to the Attorney General
(808) 586-1284
Email: atg.pio@hawaii.gov
Web: <http://ag.hawaii.gov>
Twitter: @ATGHlgov