

FIGHTING DRIVER'S LICENSE FRAUD; PUTTING PRACTICAL SOLUTIONS OVER POLITICS

Politicians pushing for the repeal of New Mexico's law that requires immigrants who do not have social security numbers to obtain driver's licenses (DL's) have argued that the system attracts fraud. While it is true that DL fraud exists everywhere in the country including in New Mexico, denying licenses to immigrant drivers is not the solution. On the contrary, the black market for identity documents has proliferated in states that deny DL's to immigrants based on immigration status.

Examples of recent fraud in states that deny DL's to undocumented immigrants:

- In 2005, several Colorado MVD employees were convicted of selling DL's for \$2,500.
- Fraud doubled from 2008 to 2009 in North Carolina leading the state to centralize its DL issuing process in 2009.
- In Connecticut, two men, including an MVD employee, were convicted in 2009 for racketeering, conspiracy to commit forgery, and bribery for steering hundreds of people to illegally purchase DL's for \$600 at a local MVD.
- In 2009, seven Florida MVD employees were arrested for collecting over \$2 million to illegally issue 1,500 DL's to people who presented fraudulent documents.
- In 2011, a federal court found MVD workers in Georgia provided DL's to hundreds of undocumented immigrants who paid \$500 each.
- Even though Tennessee abolished a program allowing immigrants to obtain DL's in 2005, A Georgia man was charged with federal document fraud in 2011 for using an illegally obtained Tennessee DL in order to acquire a Georgia license. The man obtained the Tennessee license through a middle-man who charged him \$1,500.

Practical solutions to minimize fraud:

State governments have the obligation to ensure the integrity and security of their licensing systems. It is disingenuous to suggest that fraud will go away if New Mexico repeals the current DL law. What the state needs to do is implement strong internal antifraud mechanisms across the board. In the last five years, New Mexico has taken steps to do this and could strengthen the system even more.

- In 2009, MVD fortified New Mexico's DL by embedding 12 security features, up from four, on the card—making it one of the most secure DL's in the country.
- The state has already implemented internal anti-fraud mechanisms including staff training on identifying false documents, biometric facial recognition and requiring all drivers' licenses be created and mailed out from a secure, out-of-state location.
- Applications for foreign nationals undergo additional scrutiny at the Tax Fraud Investigations Division of the Taxation and Revenue Department, leading to the apprehension and prosecution of fraud rings.
- The Governor has the ability to strengthen residency requirements and internal anti-fraud mechanisms through regulation, but has failed to do so.
- The Senate passed a bill during the last legislative session that would have strengthened residency requirements for foreign nationals, required more frequent renewals, and created additional deterrents and penalties for anyone involved in fraud. Unfortunately, the Governor did not back any of these proposals.