



Monroe County Legislature

DAVID C. MALTA
LEGISLATOR - 8th DISTRICT

October 9, 2007

To The Honorable
Monroe County Legislature
39 West Main Street
Rochester, NY 14614

OFFICIAL FILE COPY
No. <u>070356</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
URGENT -L

RE: Preventing the Issuance of Driver's Licenses to Illegal Immigrants in Monroe County

Honorable Legislators:

Recently, the New York State Department of Motor Vehicles announced that it will no longer require applicants for a driver's license to possess a valid Social Security Number, thereby opening the door for an estimated 500,000 illegal immigrants in New York to obtain driver's licenses identical to those held by legal residents. Nearly 3,800 of these illegal immigrants live in Monroe County, according to State DMV estimates.

Incredibly, this edict removes an important safeguard instituted in response to the 9/11 attacks in New York. This State DMV policy would give illegal immigrants the ability to rent vehicles, fly in planes and open bank accounts -- all actions done by the terrorists of 9/11. Also, Governor Spitzer has stated that this policy change would allow illegal immigrants to compete for jobs with law-abiding immigrants and citizens living in New York State.

This new policy would obviously weaken public safety and harm our economy by attracting additional illegal immigrants to New York. This policy is in direct violation of New York State law, which protects the security of our citizens by specifically requiring an applicant to provide a social security number before receiving a driver's license. See NYS Veh. & Traf. Law § 502(1).

The State DMV should not ask our County through its DMV offices to violate State law and assist illegal immigrants in violating Federal law. All of us who support the long and positive history of legal immigration should find the State's new policy wrong and offensive. By issuing driver's licenses to illegal immigrants we are rewarding those who flaunt our laws at the expense of those who respect and follow them.

We must take steps at the local level to prevent the implementation of this policy that will attract thousands of additional illegal immigrants to our State, force our hard working men and women to compete for jobs with those violating the law and make New York a haven for potential terrorists.

Therefore, I ask this Honorable Body to approve the following legislative action:

The specific legislative action required is to forbid the County Clerk's Office from expending any funds to process driver's license applications from individuals refusing to comply with the statutory requirements for the provision of a social security number as part of their application.

This action will have no impact on the 2007 Monroe County Budget or future years' budgets.

Respectfully Submitted,

David C. Malta
Legislator - District 8



RESOLUTION NO. 353 OF 2007

AUTHORIZING PREVENTION OF THE ISSUANCE OF DRIVER'S LICENSES TO ILLEGAL IMMIGRANTS IN MONROE COUNTY

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Office of the County Clerk is forbidden from expending any funds to process driver's license applications from individuals refusing to comply with the statutory requirements for the provision of a social security number as part of their application.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 07-0356

ADOPTION: Date: October 9, 2007

Vote: 20-9 (*Legislators Palumbo, Andrews, Bronson, Cruz, Gamble, Haney, Heider, Lee and Lightfoot voted in the negative*)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Maggie Brock DATE: 10/17/07

EFFECTIVE DATE OF RESOLUTION: 10/17/07