

Compromise Is Possible on Driver's License Issue **By Senator Pete Campos**

The politically charged panic over whether New Mexicans would still be able to get on an airplane has subsided and now the real work begins to forge a compromise on who should get what kind of New Mexico driver's license.

The federal government wisely deferred enforcement of the REAL ID Act because the vast majority of states, including New Mexico, are not prepared to comply with it. The federal government actually had little choice. Enforcing the law now would completely disrupt air travel, stranding countless travelers suddenly unable to use their state-issued driver's licenses just to board an airplane flying within the United States.

Whether Congress should or will repeal the REAL ID Act and its costly and onerous requirements is a question best answered by those in Washington, D.C. What the New Mexico Legislature should do is consider approving two types of driver's licenses: one that would meet the requirements of the REAL ID Act and one that would not. New Mexicans who want to use their driver's license rather than a passport card or other federally approved identification to board an airplane could apply for the REAL ID-compliant license by providing the various proof-of-citizenship documentation required by the federal government and paying a fee that might be higher than that of a standard license but less than the \$55.00 fee for a passport card, which is valid for 10 years. New Mexicans who don't need or want the REAL ID-compliant license, or are not eligible for it because they are not here legally, could stick with the standard, less expensive license.

This is not a new idea. Utah already issues two types of licenses, and Washington, Illinois and California are all considering doing so. Issuing more than one type of license ensures that all drivers, whether they are in the country legally or not, have passed a driving test, have good driving records and are properly insured.

Interestingly enough, opponents of a two-tiered driver's license system usually find themselves opposed to each other on immigration issues —perhaps proving that the driver's license issue is not really an immigration issue. Opponents of a two-tiered driver's license system usually make one of two arguments. They either oppose it because the non-REAL ID-compliant license announces an undocumented immigrant's status to law enforcement, or they oppose it because it gives some minimal official recognition to a person who is not in the country legally. Both arguments are misplaced. Denying undocumented immigrants a New Mexico driver's license is not going to send them packing or keep others from coming to the United States. That's a much bigger issue that needs to be addressed nationally. And, undocumented immigrants won't be stigmatized by merely possessing a non-REAL ID-compliant license because many other New Mexicans who are here legally will also possess one if they don't want or need a license to board an airplane.

New Mexico wisely decided a decade ago to issue driver's licenses to New Mexicans regardless of their immigration status. Two years after we made our decision, Congress decided that our driver's licenses and those from every other state that could not or would not comply with the expensive and intrusive requirements of the REAL ID Act would not be honored at airport security checkpoints. Rather than undo the progress we've made by licensing all drivers, let's work on a solution that creates a driver's license for those New Mexicans who want or need one that the federal government finds acceptable for getting on an airplane.