



Legislation Text

File #: Res 0920-2005, **Version:** *

Res. No. 920

Resolution expressing disappointment with New York State Supreme Court Justice Karen S. Smith for issuing a temporary restraining order ordering the State of New York to stop taking away driver's licenses of people who do not have valid Social Security numbers, and urging the New York State Legislature to reject A.612, A.3918, and S.1349, legislative proposals that would eliminate the requirement that all applicants for driver's licenses present social security cards prior to receiving a license.

By Council Members Oddo, Gallagher and Avella

Whereas, New York is among approximately a dozen states that do not limit driver's licenses to legal residents by law; and

Whereas, In order to improve child support enforcement, the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 requested states to obtain Social Security numbers from driver's license applicants; a practice that New York State began in 1995 as part of its statewide welfare reform; and

Whereas, Until 2003, applicants for driver's licenses in New York only had to provide proof of birth and several forms of identification or utility bills; and

Whereas, In 2003, New York State began requiring an original Social Security card for new license applicants or a letter from the Social Security Administration explaining the person's ineligibility for a Social Security number; and

Whereas, In March 2004, the New York State Department of Motor Vehicles ("DMV"), began checking drivers' social security numbers with information at the Social Security Administration and found that many numbers did not match and that some Social Security numbers were used more than fifty times; and

Whereas, In 2004, New York State began suspending the driver's licenses of people who did not present a valid Social Security number; and

Whereas, Driver's licenses serve as State-issued identification cards that permit individuals to gain admittance onto airplanes; and

Whereas, The nineteen murderers who hijacked airplanes on September 11, 2001 and flew the planes into the World Trade Center, the Pentagon, and a field in Pennsylvania carried 63 driver's licenses issued by various states during the months leading up to the attack; and

Whereas, The government should use any tool at its disposal to prevent terrorism; and

Whereas, On February 17, 2005, New York State Supreme Court Justice Karen S. Smith issued a temporary restraining order mandating that the State stop suspending the driver's licenses of motorists who do not have valid Social Security cards or numbers; and

Whereas, Less than a week later, New York State filed an appeal and that appeal is still pending; and

Whereas, Judge Smith's ruling raises serious public policy and legal questions; and

Whereas, Several bills have been introduced in the State Legislature to legislatively eliminate the requirement that Social Security cards be presented by potential license applicants; and

Whereas, Legislative attempts to ease the requirements for driver's license applicants would result in receipt of driver's licenses by persons without Social Security numbers and could make it easier for terrorists to get their hands on driver's licenses in New York; now, therefore, be it

Resolved, That the Council of the City of New York expresses disappointment with New York State Supreme Court Justice Karen S. Smith for issuing a temporary restraining order ordering the State of New York to stop taking away driver's licenses of people who do not have valid Social Security numbers, and urging the New York State Legislature to reject A.612, A.3918, and S.1349, legislative proposals that would eliminate the requirement that all applicants for driver's licenses present social security cards prior to receiving a license.