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FISCAL IMPACT REPORT

SPONSOR: Garcia, MP DATE TYPED: 2/13/03 HB 173/aHJC
 SHORT TITLE: Tax ID Number for Drivers' Licenses SB _____
 ANALYST: Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Senate Bill 201

SOURCES OF INFORMATION

LFC files

No Response Received From

Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment permits the TRD secretary to establish by regulation other documents that may be accepted as a substitute for a social security number or an individual tax identification number instead of making it mandatory for the secretary to establish these regulations.

Synopsis of Original Bill

House Bill 173 permits an individual tax identification number to be used for applications for driver's licenses. An applicant for a driver's license will not be required to submit a social security number.

For foreign nationals applying for driver's licenses, the TRD secretary shall accept the individual taxpayer identification number as a substitute for a social security number regardless of immigration status.

The TRD secretary shall establish by regulation other documents that may be accepted as a substitute for a social security number or an individual tax identification number.

Significant Issues

Some individuals in New Mexico believe it is a violation of their privacy to be forced to give a social security number to the Motor Vehicle Division in order to obtain a license. HB 173 will alleviate the need to do so.

One of the provisions of HB 173 is to allow individuals who are not legally in this country to obtain a legal New Mexico government issued document. This may result in an individual who is not in compliance with US immigration laws to obtain a New Mexico document and perhaps travel the US and other states and exchange the New Mexico License for other documentation.

FISCAL IMPLICATIONS

TRD will need to promulgate regulations to establish what documents are acceptable as a substitute for a social security number or a tax identification number. This will require staff time and associated costs.

Presumably there are individuals who have not applied for a driver's license because they are unwilling to provide a social security number or because they are not legally in this country. These applicants will provide an insignificant, but added revenue to the state by paying license fees.

ADMINISTRATIVE IMPLICATIONS

TRD staff will have to promulgate and enact regulations.

OTHER SUBSTANTIVE ISSUES

It is not clear whether the provisions of HB 173 conflict with INS statutes and other federal law.

DW/prr/njw