

SPONSOR: Sen. Townsend & Sen. Marshall & Rep. Keeley & Rep.  
Miro  
Sens. Henry, Ennis; Reps. Baumbach, Kowalko,  
Osienski

DELAWARE STATE SENATE  
147th GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 36

ESTABLISHING A TASK FORCE TO STUDY AND MAKE FINDINGS AND RECOMMENDATIONS REGARDING  
ENHANCING MOTORIST SAFETY AND INSURANCE COVERAGE AMONG DELAWARE MOTORISTS.

WHEREAS, the safety and wellness of Delaware motorists and pedestrians are a paramount concern of the State;

WHEREAS, the safety of Delaware motorists and pedestrians is enhanced by ensuring Delaware motorists are educated on how to operate a motor vehicle safely;

WHEREAS, the wellness of Delaware motorists and pedestrians is enhanced by ensuring Delaware motorists are covered by automobile insurance;

WHEREAS, existing law prohibits Delaware's Division of Motor Vehicles (the "Division") from issuing an original driver's license or identification card to a person who does not submit satisfactory proof that his or her residence in the United States is authorized under federal law;

WHEREAS, despite a lack of eligibility for such license or identification card, some individuals in Delaware operate or are likely to operate motor vehicles without the benefit of having completed motorist safety courses or having obtained insurance coverage;

WHEREAS, issuing a Driving Privilege Card to individuals notwithstanding their ineligibility for such license or identification card might enable the Division to remain in compliance with federal laws even while promoting the safety and wellness of Delaware motorists and pedestrians by ensuring more Delaware motorists have the opportunity to complete motorist safety courses and obtain insurance coverage;

WHEREAS, issuing a Driving Privilege Card stands to alleviate stress on the Delaware judicial, law enforcement, and emergency responder systems, to the extent such issuance reduces the number of unlawful motorists on Delaware roadways and the number of motor-vehicle accidents;

WHEREAS, ensuring that more Delaware motorists have the opportunity to complete motorist safety courses and obtain insurance coverage can enhance the dynamism of the Delaware economy and the wellness of its workforce; and

WHEREAS, the General Assembly deems it to be in the best interest of Delawareans and the Delaware economy to explore the benefits of Driving Privilege Cards now, rather than wait along an indeterminable timetable for the United States Congress to take action that might ultimately achieve identical or similar benefits;

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 147<sup>th</sup> General Assembly of the State of Delaware, the House of Representatives concurring therein, that the Undocumented Motorist Safety & Insurance Task Force (“Task Force”) be established to study and make findings and recommendations regarding establishing a Driving Privilege Card, requiring motorist safety courses, and enabling and encouraging undocumented drivers to obtain automobile insurance.

BE IT FURTHER RESOLVED that the Task Force be composed of the following members:

1. Three members of the Delaware Senate, including a co-chair, appointed by the President *pro tempore*,
2. Three members of the Delaware House of Representatives, including a co-chair, as appointed by the Speaker of the House,
3. A representative from the Office of the Governor, appointed by the Governor,
4. Three members of the Delaware Hispanic Commission, appointed by the leadership of that Commission,
5. A representative from the Department of Homeland Security, appointed by the Secretary of that Department,
6. A representative from the Delaware State Police, appointed by the Colonel,
7. A representative from the Police Chiefs’ Council, appointed by the President of that Council,
8. A representative from the Department of Health and Social Services, appointed by the Secretary of that Department,
9. A representative from the Division of Motor Vehicles, appointed by the Director of that Division,
10. A representative from the Department of Labor, appointed by the Secretary of that Department,
11. A representative from the Attorney General’s Office, appointed by the Attorney General,
12. A representative from the Insurance Commissioner’s Office, appointed by the Insurance Commissioner,
13. A representative from the Latin American Community Center, appointed by the leadership of that organization,
14. A representative from the Consejo Pastoral de Delaware (Pastoral Council of Delaware, or COPAD), appointed by the leadership of that organization,
15. A representative from La Esperanza, appointed by the leadership of that organization,
16. A representative from the New Castle County Chamber of Commerce, appointed by the leadership of that chamber,
17. A representative from the Central Delaware Chamber of Commerce, appointed by the leadership of that chamber,

18. A representative from the Greater Georgetown Chamber of Commerce, appointed by the leadership of that chamber,
19. A representative from the Mid-Atlantic Hispanic Chamber of Commerce, appointed by leadership of that chamber,
20. A representative from the private insurance providers of property and casualty coverage in Delaware, who shall be a local employee living and working in Delaware and whom shall be appointed by the co-chairs of the Task Force,
21. A representative from the Delaware Alliance for Community Advancement, appointed by leadership of that organization, and
22. A representative from the Delmarva Poultry Industry, appointed by leadership of that organization.

BE IT FURTHER RESOLVED that the focus of the Task Force's study, findings and recommendations include:

1. The design of a Driving Privilege Card, including appropriate indications regarding limitations on its use for identification purposes;
2. The scope of use of a Driving Privilege Card, including geographic limitations (e.g., not to be used outside of Delaware) and other limitations (e.g., not to be used to establish bank accounts);
3. Considerations relating to fraudulent production or usage of a Driving Privilege Card;
4. Logistical considerations for the Department of Motor Vehicles in the implementation of a Driving Privilege Card system, including those relating to mandatory completion of a motorist safety course prior to obtaining a Driving Privilege Card;
5. Appropriate storage of data, and limitation thereon, relating to data collected for those that would obtain a Driving Privilege Card; and
6. Means of enabling and encouraging those individuals who receive a Driving Privilege Card to obtain automobile insurance.

BE IT FURTHER RESOLVED that the co-chairs of the Task Force be responsible for guiding the administration of the Task Force which includes:

1. Setting a date, time and place for the initial organizational meeting;
2. Supervising the preparation and distribution of meeting notices, agendas, minutes, correspondences, and reports of Task Force;
3. Sending, after the first meeting to the Task Force, a list of the members of the Task Force and the person who appointed them to the Director of Research of Legislative Council; and
4. Ensuring that the final report of the Task Force is submitted to the President *pro tempore* of the Senate and the Speaker of the House of Representatives, with a copy to the Governor.

BE IT FURTHER RESOLVED that the Senate Majority Caucus be responsible for providing reasonable and necessary support staff and materials for the Task Force.

BE IT FURTHER RESOLVED that the Task Force begins meeting within three weeks of the passage of this resolution, meets at least once every month unless otherwise instructed by the co-chairs, and issues

recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives no later than October 31, 2014.

#### SYNOPSIS

This resolution establishes the Undocumented Motorist Safety & Insurance Task Force and charges the Task Force with analyzing and making recommendations relating to the possibility of enhancing safety, economic dynamism, and wellness in Delaware via: (1) the issuance of Driving Privilege Cards to undocumented Delawareans who complete a motorist safety course, and (2) enabling and encouraging undocumented Delawareans to obtain automobile insurance coverage.

Author: Senator Townsend