



COLORADO
Department of Revenue

Division of Motor Vehicles

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Report 32: October 1, 2018

To: Members of the Joint Budget Committee

Senator Kent Lambert, Chair, Joint Budget Committee
Senator Dominick Moreno, Joint Budget Committee
Senator Kevin Lundberg, Joint Budget Committee
Representative Millie Hamner, Vice Chair, Joint Budget Committee
Representative Dave Young, Joint Budget Committee
Representative Bob Rankin, Joint Budget Committee

In accordance with the footnote contained in the 2018-2019 Long Appropriations Bill (H.B. 18-1322) listed below (Footnote 103, page 252) and the Request for Information contained in the Appropriations Report for Fiscal Year 2017-18 (Department of Revenue RFI 1, page 615), the Colorado Department of Revenue, Division of Motor Vehicles (DMV) is providing this report for your consideration.

“Department of Revenue, Division of Motor Vehicles, Driver Services - The initial fiscal note estimated a total of 66,000 individuals would request an appointment for a S.B. 13-251 document. Continued operations for this program at more than one office are premised on the need to handle the initial surge of applicants. It is the intent of the General Assembly that once the annual appointments for first-time applicants made available for individuals who are not lawfully present in the United States falls below 5,000 per year or the total persons served reaches 66,000 the Division will reduce the offices that provide the service to one location. Of the amount appropriated to Driver Services, \$1.5 million cash funds are for the Colorado Road and Community Safety Act.”

The Request for Information states, “The Department is requested to submit to the Joint Budget Committee by the first of every month quarter, beginning June 30, 2017, a report about the progress made on meeting the demand for services offered under S.B. 13-251, which was estimated at 66,000 individuals. For individuals served who are not lawfully present in the United States, the report should include the number of appointments made available, the number of “no shows” for appointments, the number of appointments that resulted in no document issuance, the number of documents issued, and a justification based in data for why there is a continued need to offer services for individuals who cannot demonstrate a lawful presence in the United States at more than one location. If the number of first time applicants who receive an identification document exceeds 66,000, it is further

requested the department provide written notice to the joint budget committee as soon as practical.”

Based on the current availability of 130 non-renewal appointments* (78 at Westgate and 26 each at Colorado Springs and Grand Junction) per day, the current rate of individuals not keeping their appointments of 32.4 percent and the current monthly average rate of appointments not resulting in document issuance of 255, it is estimated that the total number of first time applicants who receive an identification document will reach 66,000 in February 2019†. The Division of Motor Vehicles is working on a plan to draw services down to one office

Program overview

The Colorado Road and Community Safety Act (CO-RCSA S.B. 13-251), authorizes the issuance of a Colorado driver license, instruction permit or identification card to qualified individuals who either cannot demonstrate lawful presence in the United States or can demonstrate temporary lawful presence in the United States. This program was implemented by the Colorado Department of Revenue’s Division of Motor Vehicles on August 1, 2014.

For individuals unable to demonstrate lawful presence in the United States, the program is offered by appointment only at the Westgate, Colorado Springs and Grand Junction Driver License Offices for new licenses, and at Aurora, Westgate, Colorado Springs and Grand Junction for renewals. There are 130 potential customers with appointments each business day (78 at Westgate and 26 each at Colorado Springs and Grand Junction). Additionally, there are 77 renewal-only appointments per day at the Aurora, Westgate, Colorado Springs and Grand Junction Driver License Offices (52 at Aurora, 15 at Westgate, 5 at Colorado Springs and 5 at Grand Junction).

On June 15, 2016, the DMV began implementation of H.B. 16-1415. This bill allows individuals who received an instruction permit during their CO-RCSA appointment taking place after May 4, 2016, but who did not receive a driver license due to failing the driving test, to re-take the driving test at a third-party school within 60 days of failing the test at the driver license office. Once they pass the test at a third party school, individuals then have 180 days to return to one of the three offices that offer CO-RCSA services on a space-available basis. They will need to present their passing drive test certificate from the third-party school, the identification documentation used to obtain their permit, their valid instruction permit and proof of their current Colorado residence and pay a \$15 retest fee as well as the driver license fee to obtain their driver license.

The 2018 General Assembly passed S.B. 18-108, which allows for online renewal of credentials issued under S.B. 13-251 and allows for individuals who are not able to demonstrate lawful presence in the U.S. to use a Social Security number in lieu of an Individual Taxpayer Identification Number (ITIN) to apply for a driver license, instruction permit or identification

* This calculation does not include 77 renewal-only appointments per day.

† Renewals and appointments not resulting in a document issuance are not counted in this number.

card. The effective date of this legislation is January 1, 2019 and the Division of Motor Vehicles is currently developing an implementation plan.

Individuals who are able to demonstrate temporary lawful presence in the United States may apply at any state driver license office. They may choose to make an appointment online at one of 31 equipped offices, but an appointment is not required for services other than the driving test. Temporary lawful presence customers may take the driving test at any driver license office.

More information on the CO-RCSA S.B. 13-251 program is available at www.colorado.gov/dmv.

Requested information

The Department has served 79,066[‡] individuals through appointments who are unable to demonstrate lawful presence in the United States from the start of the program on August 1, 2014 through August 31, 2018. There were 40,534 individuals who did not keep their appointments out of the 119,600 available. There were 68,326 documents issued[§]: 54,558 driver licenses[¶], 8,715 instruction permits and 5,053 identification cards. There were 14,747 appointments that did not result in a document issuance^{**}. See Table 1 below:

Table 1 (08/01/2014 - 8/31/2018)

Available appointments	Individuals served through appointments	Did not keep appointment	Documents issued	DL issued	Permit issued	ID issued	Renewals	No document issued
119,600	79,066	40,534	68,326	54,558	8,715	5,053	10,866	14,747

From June 1, 2018 through August 31, 2018, the Department served 5,892 individuals through appointments who are unable to demonstrate lawful presence in the United States. There were 12,629 total appointments available during this period and 6,737 individuals did not keep their appointment. There were 5,937 total documents issued[‡]: 4,256 driver licenses[§], 1,435 instruction permits and 246 identification cards. There were 1,035 appointments that did not result in a document issuance^{**}. See Table 2 below:

[‡] This number includes the 53,543 individuals who were served for the first time and received a document as well as individuals who were renewing or did not receive a document during their appointment.

[§] This reflects the total number of final documents issued at an appointment. The 37,170 individuals who received both an instruction permit and a driver license during the same appointment since the beginning of the program (1,734 from June 1 - August 31) are not included in the instruction permit numbers above. This number also does not count renewals.

[¶] This includes the 2,929 driver licenses issued through the H.B. 16-1415 process (334 from June 1 - August 31).

^{**} This is due to a variety of reasons such as not being able to prove identity, not having an Individual Taxpayer Identification Number, not being able to prove residency, not being able to prove tax filing, providing inconsistent information, or failing either the written or drive test.

Table 2 (06/01/2018 - 08/31/2018)

Available appointments	Individuals served through appointments	Did not keep appointment	Documents issued	DL issued	Permit issued	ID issued	Renewals	No document issued
12,629	5,892	6,737	5,937	4,256	1,435	246	2,019	1,035

There is continued demand for this service as evidenced by the fact that all available appointments for this program are full. The Department releases new appointments that are out 90 business days.

Additionally, there were 9,915 telephone calls answered requesting appointments or other assistance for this program from June 1, 2018 - August 31, 2018. Individuals waited an average of 16 minutes and 45 seconds before a call was answered due to high demand.

There will be continued demand for this service in the future due to fact that cards issued under the Colorado Road and Community Safety Act are only valid for three years. The Department began to see a demand for renewals August 1st, 2017, 3 years after first credential issuance.

If you have any questions regarding this report, you may contact the DMV's Driver License Section Director Brent Spahn at 303-205-5667.

Respectfully,



Michael S. Hartman
Executive Director

Cc:

Alfredo Kemm, staff, Joint Budget Committee, Colorado General Assembly
Lauren Larson, Director, Governor's Office of State Planning and Budgeting
Jason Schrock, Deputy Director, Governor's Office of State Planning and Budgeting
Alice Wheet, staff, Governor's Office of State Planning and Budgeting