



Testimony of Missouri Immigrant and Refugee Advocates on HB 1147 and HB 1186, English-Only Driver Exams

For more information, please contact Vanessa Crawford, Executive Director, at 314-644-0466 x15 or vanessa@mira-mo.org.

Using Missouri's Driver Exam as an English proficiency test specifically impacts documented immigrants and refugees, and has no effect on the undocumented. Current Federal and Missouri Law prohibits undocumented immigrants from obtaining driver's licenses. HB 1147 and HB 1186 would, however, have a major adverse impact for many refugees, students, and legal permanent residents (green card holders). Among those affected would be immigrant spouses of members of the armed forces stationed in Missouri, victims of war trauma, and family members of international executives recruited by companies in Missouri.

The current driver exam tests drivers' understanding of road signs regardless of the language in which the test is administered. The current test used to determine an individual's comprehension of traffic signs is symbols-based. A native English speaker and a non-English-speaker alike are both asked to identify the same common signs as they appear on the road. By proving that one understands the meaning of the road symbols, one can sufficiently convey his or her understanding or lack of understanding of traffic signs, regardless of the language used to communicate the answers. Additionally, common experience demonstrates that one can understand traffic signs and safety warnings, even small phrases in English without being able to read and/or write English sufficiently to pass a written exam. For example, a native Missouri driver traveling abroad may drive safely in a foreign country whose primary language is not English because traffic and safety warning signs are simple to understand even in other languages. **More than 150 countries, including the United States, recognize an International Driving Permit (IDP), without mandating fluency in the language of that country** (U.S. Department of State, Bureau of Consular Affairs).

Other states with much more ethnically diverse populations than the state of Missouri, and higher proportions of lawfully present, newly arrived immigrants have rejected the concept of English only driver's license tests. These states have generally implemented testing procedures that allow the applicants to take a written test in their native language or in English with the help of a translator. In order to assure that these applicants are able to "understand highway traffic signs and safety warnings," these states, much like Missouri, implement a part of the test where the applicant views a sign, warning, or short traffic related phrase, and then must explain its meaning in their native language with the use of a translator. These states have concluded that ***"fluency in the English language sufficient to take and***

pass a written exam in English is not indicative of the applicant's ability to drive safely on the public roadways." (Robert Hagge, Research Analysis, California Department of Motor Vehicles, Research and Development Branch).

As a result of HB 1147 and HB 1186, many lawful Missouri residents would be unable to work, bring children to school, or participate in the community; and may be forced to drive without a license or insurance. While the immigrants targeted by this legislation may not have great proficiency in English, they do work, have children, and engage in the community. Given the lack of public transportation in most areas of the state, the difficulty of getting to work, transporting children, or even getting to an English class without the ability to drive is insurmountable for many people. The result of this is more children in need of state assistance and higher unemployment. For many members of the affected community, particularly refugees, their visas require that they hold a job. It is not difficult to conceive of a situation in which a person in desperate circumstances may choose to drive without a license or insurance, endangering public safety.

In sum, HB 1147 and HB 1186 are bad public policy. Because undocumented immigrants are currently unable to obtain a Missouri driver's license, only documented immigrants and refugees are affected by this legislation. There is no evidence that a driver must be fluent in English to understand American road signs and signals, and under the current law, non-English speakers must prove sufficient understanding. By removing the ability of thousands of individuals' ability to drive, this legislation negates their ability to hold a job, deliver children to school, or respond to emergencies. This creates the potential for people to feel forced to drive without licenses or insurance.