

HB 1763 -- NONDOMICILED COMMERCIAL DRIVERS' LICENSES AND LEARNERS' PERMITS

SPONSOR: McGirl

Currently, the Department of Revenue may issue a nondomiciled commercial driver's license (CDL) or commercial learner's permit (CLP) to a resident of foreign jurisdiction besides Mexico or Canada if the United States Secretary of Transportation has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdiction do not meet federal standards. An applicant for a nondomiciled CDL or CLP must provide evidence to the Department that the applicant currently has employment with a Missouri employer, and the nondomiciled CDL must expire on the same date that the applicant's documents establishing lawful presence for employment expire.

This bill requires that an applicant present evidence that they are specifically:

- (1) A temporary agricultural worker under the Federal H-2A program;
- (2) A temporary non-agricultural worker under the Federal H-2B program; or
- (3) A treaty investor under the Federal E-2 program.

The bill requires a labor certification through the Department of Labor, the applicant's current employer, or proof of work established through the Federal visa process. Applicants must also provide an unexpired Form I-94 or I-94A and an unexpired foreign passport for every license issuance, transfer, renewal, and upgrade.

This bill changes the expiration of nondomiciled CDL to the same date listed on a license-holder's Form I-94/Form I-94A or in one year, whichever is earlier. The Department will verify immigration status and employment-based nonimmigrant category information through the Systemic Alien Verification for Entitlements (SAVE) program administered by Citizenship and Immigration Services.

The bill requires renewal of nondomiciled CDLs to be in person. If a Federal agency notifies the Department that a CDL or CLP holder no longer holds lawful nonimmigrant status or has violated

any terms of their immigration status, the Department must initiate a process to remove the commercial privilege from the license within 30 days. Each time the Department renews, transfers, upgrades, or otherwise duplicates a nondomiciled CDL or CLP, the Department must confirm the applicant's foreign passport is not expired, verify through SAVE that the applicant's I-94 or I-94A admit until date is not expired, and verify the immigrant category remains H-2A, H-2B, or E-2.

The bill requires applicants for nondomiciled CDLs and CLPs who are United States citizens, lawful permanent residents, or noncitizen nationals domiciled in a United States territory to provide one of the following:

- (1) Valid, unexpired United States passport;
- (2) Certified copy of a birth certificate filed in the applicant's state or territory of birth;
- (3) Consular Report of Birth Abroad issued by the Department of State;
- (4) Certification of Naturalization issued by the Department of Homeland Security;
- (5) Certificate of Citizenship issued by the Department of Homeland Security; or
- (6) Valid, unexpired Permanent Resident Card issued by Citizenship and Immigration Services or Immigration and Naturalization Services.