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FREQUENTLY ASKED QUESTIONS: CALIFORNIA IDs FOR ALL

A rundown of California Assembly Bill 1766 and what it means for immigrants living in the Golden State

DECEMBER 2022

WHAT DOES AB 1766 DO?

On September 23, 2022, Governor Newsom signed **CA IDs for All** (AB 1766, Stone) into law. Right now, only people who can show their presence in the U.S. is “authorized under federal law” can apply for a standard (non-REAL ID) California identification card (CA ID). AB 1766 expands standard CA ID eligibility to all Californians, regardless of their immigration status, by 2027. Undocumented residents without access to a car or who are unable to take a driver’s test will benefit most from this bill, including some women, seniors, persons with disabilities, and people who were formerly incarcerated.

WHY DO PEOPLE NEED IDs? I THOUGHT UNDOCUMENTED CALIFORNIANS COULD GET A DRIVER’S LICENSE.

AB 60, passed in 2013, allows all Californians to apply for a driver’s license, even without proof of their immigration status, if they can establish their identity and California residency, pass a driving test, a vision test, show proof of insurance, and any other driver’s license requirements. However, AB 60 did not expand access to CA ID cards. Residents who cannot obtain a driver’s license (which can serve as a form of ID) – perhaps because they do not drive or do not have access to a car – and who cannot provide proof of lawful presence in the United States have been unable to obtain a CA ID card (a non-driving alternative form of ID available to other California

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NOTE

AB 60 DRIVER'S LICENSES, FOR UNDOCUMENTED CALIFORNIANS WHO CAN PASS THE DRIVING TEST, ARE AVAILABLE NOW.

VISIT [ILRC.ME/AB60](https://ilrc.me/ab60) FOR MORE INFORMATION.



residents). IDs are critical for many daily activities, such as cashing a check, renting an apartment, or volunteering at a child's school.

WILL IDS THROUGH AB 1766 BE AVAILABLE ONLY TO THOSE WITHOUT IMMIGRATION STATUS?

No, anyone who cannot or chooses not to provide the documents needed for a REAL ID may apply for a standard CA ID card. The

California Department of Motor Vehicles (DMV) refers to all non-REAL ID cards as "standard ID cards." Standard ID cards are currently available to California residents who are U.S. citizens, lawful permanent residents (green card holders), and other lawfully present individuals. Under AB 1766, undocumented Californians will also be able to apply for standard ID cards.

HOW MANY PEOPLE COULD BENEFIT FROM AB 1766?

Approximately 1.6 million people in California could benefit from AB 1766 based on the number of undocumented people over age 15 who have not yet obtained a driver's license through AB 60 at this point. However, the number of people who could benefit from the expanded access to standard ID cards is likely higher, since ID cards - unlike driver's licenses - are available to Californians of any age. So children will also be able to benefit from AB 1766.

IS THERE AN AGE REQUIREMENT TO APPLY FOR AN ID UNDER AB 1766?

No, there is no minimum age requirement for a CA ID card, including those issued under AB 1766.

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WHEN CAN PEOPLE BEGIN APPLYING FOR IDS UNDER AB 1766?

The law passed in 2022 but it is not set to go into effect **until 2027**. Californians should be able to apply for standard CA ID cards under AB 1766 by July 1, 2027.

WHY IS THAT DATE SO LATE?

The DMV is in the process of updating their technological systems, so unfortunately the DMV could not commit to making these IDs available sooner.

IS THERE ANY WAY TO MOVE THAT DATE UP?

The law, CA IDs for All, requires that the DMV make standard CA IDs available to all Californians regardless of immigration status no later than July 1, 2027, so the DMV could issue them sooner. The organizations that worked on the bill plan to have conversations with the DMV about the timeline for making these IDs available.

IF I APPLY FOR AN ID UNDER AB 1766, WILL MY INFORMATION BE SHARED WITH LAW ENFORCEMENT (LIKE THE POLICE), WHO MIGHT THEN GIVE MY INFORMATION TO ICE?

Law enforcement agencies can set up requester accounts to request DMV information. This applies to all California residents whose information is with the DMV, not just those applying for standard CA ID cards under AB 1766 or AB 60 driver's licenses. Law enforcement can then ask for records if they already have certain identifiers to know which records they are looking for. For instance, they must provide a name, driver's license number, or vehicle identification number. This means that law enforcement is already looking for specific people when they ask the DMV for information.

The **California Values Act** and other state laws require law enforcement agencies to agree not to use the non-criminal history information obtained from the DMV for immigration enforcement purposes. They must agree to do this when they set up a requestor account.

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AB 1766 added another restriction on law enforcement sharing information that it obtains from the DMV with ICE. It says that no government agency or department, law enforcement agency, or other person shall “obtain, access, use, or otherwise disclose, noncriminal history information maintained by the department, for the purpose of immigration enforcement.” The definition of “immigration enforcement” includes any efforts to investigate or enforce any federal immigration law as well as federal criminal immigration laws that penalize a person’s presence in, entry, reentry, or employment in, the United States.

WHAT WILL CA IDS UNDER AB 1766 LOOK LIKE? WILL THEY LOOK DIFFERENT FROM REAL ID CARDS?

We will confirm with the DMV what these IDs will look like. The law says that the card must state that it is not acceptable for official federal purposes.

WILL AN ID OBTAINED UNDER AB 1766 SATISFY REAL ID?

No—standard CA IDs, including those obtained under AB 1766, are not REAL ID-compliant (AB 60 driver’s licenses also are not REAL ID-compliant). This means they cannot be used for certain federal purposes—such as entering restricted parts of federal buildings or boarding an airplane—after REAL ID goes into effect on **May 7, 2025**.

WHAT CAN I USE A CA ID OBTAINED UNDER AB 1766 FOR?

A standard CA ID card, including one obtained under AB 1766, is valid for state ID purposes such as opening a bank account, renting an apartment, picking up a child from daycare, and entering a bar. California law prohibits discrimination based on the type of license or identification card a person presents. Law enforcement, businesses, landlords, state or local government agencies, and even employers (unless otherwise required by law) cannot treat a person differently based on the type of ID or driver’s license they have.



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WHERE CAN I FIND MORE INFORMATION AND RECEIVE UPDATES ON AB 1766?

Visit caimmigrant.org and ilrc.org, where we will continue to share information on AB 1766 as we learn more.

AB 1766 was sponsored by Asian Americans Advancing Justice-CA, California Immigrant Policy Center (CIPC), Coalition for Humane Immigrant Rights (CHIRLA), and the Immigrant Legal Resource Center (ILRC).

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