


Councilmember Charles Allen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Traffic Act, 1925 to provide an exception to the 6-month residency requirement for a limited purpose credential for applicants who have been determined to have been transported to the District by the executive branch of another state, and to clarify that a limited purpose credential issued to an applicant who claims the exception to the 6-month residency requirement cannot be used to apply for Continuum of Care Services under the Homeless Services Reform Act of 2005; to require, on an emergency basis, the Office of Migrant Services to provide proof of identification and residency for applicants who have been transported to the District by the executive branch of another state, have had original documents retained by the Department of Homeland Security pending a hearing, and have provided the Office with certain immigration documents if the applicant has not received such proof of identification and residency from a nonprofit organization, and to clarify that proof of identification and residency provided under these circumstances cannot be used for a purpose other than to confirm eligibility for services provided by the Office of Migrant Services or to apply for a limited purpose credential; and to amend, on an emergency basis, the District of Columbia Municipal Regulations to use a letter provided by the Office of Migrant Services when applying for limited purpose credentials and to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Limited Purpose Credential Clarification Emergency Amendment Act of 2023”.

Sec. 2. Section 8c of the District of Columbia Traffic Act, 1925, effective January 17, 2014 (D.C. Law 20-62; D.C. Official Code § 50-1401.05), is amended as follows:

(a) Subsection (a)(1) is amended to read as follows:

“(1)(A) Has resided in the District for longer than 6 months; or

40 “(B) For an applicant who has been determined by the Office of Migrant
41 Services (“OMS”) to have been transported by the executive branch of another state to the
42 District, has presented a letter from OMS, or a nonprofit organization that has a contract with
43 OMS or is a current recipient of a grant through the Immigrant Justice Legal Services grant
44 program, in a form approved by the Department of Motor Vehicles, certifying residence and
45 address for less than 6 months;”.

46 (b) A new subsection (k) is added to read as follows:

47 “(k) Notwithstanding any other provision of law, an applicant who is issued a limited
48 purpose driver’s license, permit, or identification card pursuant to subsection (a)(1)(B) of this
49 section shall not present the limited purpose driver’s license, permit, or identification to prove
50 that the applicant is a resident of the District, as that term is defined in section 2(32) of the
51 Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C.
52 Official Code § 4-751.01(32)) (“HSRA”), for purposes of applying for Continuum of Care
53 services under the HSRA.”.

54 Sec. 3. Limited purpose identifying document for limited purpose credentials.

55 (a) For an applicant who has not already received, from a nonprofit organization that has
56 a contract with the Office of Migrant Services (“OMS”) or that is a current recipient of a grant
57 through the Immigrant Justice Legal Services grant program, a document, in a form approved by
58 the Department of Motor Vehicles, including a photograph of the applicant, confirming the
59 identity and District residence of the applicant (“limited purpose identifying document”) for,
60 OMS shall provide a limited purpose identifying document.

61 (b) An applicant shall not be eligible to receive a limited purpose identifying document
62 unless the applicant has:

- 63 (1) Been transported by the executive branch of another state to the District;
- 64 (2) Had original documents retained by the Department of Homeland Security
- 65 pending a hearing; and
- 66 (3) Provided the Office with:
- 67 (A) Form ORR R-535, Office of Refugee Resettlement Verification
- 68 Release Form;
- 69 (B) Immigration and Customs Enforcement Form I-220A, Order of
- 70 Release on Recognizance;
- 71 (C) Department of Homeland Security Form I-385, Alien Booking Record;
- 72 or
- 73 (D) U.S. Citizenship and Immigration Services Form I-766, Employment
- 74 Authorization Card.

75 (c) A limited purpose identifying document shall not be used for any purpose other than

76 to:

77 (1) Confirm eligibility for services provided by OMS or a nonprofit organization

78 that has a contract with OMS or that is a current recipient of a grant through the Immigrant

79 Justice Legal Services grant program; or

80 (2) Apply for a limited purpose limited purpose driver's license, permit, or

81 identification card pursuant to section 8c of the District of Columbia Traffic Act, 1925, effective

82 January 17, 2014 (D.C. Law 20-62; D.C. Official Code § 50-1401.05).

83 Sec. 4. Section 114 of Chapter 1 of Title 18 of the District of Columbia Municipal

84 Regulations (18 DCMR § 114), is amended as follows:

85 (a) Subsection 114.3 is amended as follows:

86 (1) Paragraph (d) is amended by striking the phrase “; or” and inserting a
87 semicolon in its place.

88 (2) Paragraph (e) is amended by striking the period and inserting the phrase “; or”
89 in its place.

90 (3) A new paragraph (f) is added to read as follows:

91 “(f) A document provided by the Office of Migrant Services, or a nonprofit organization
92 that has a contract with the Office or is a current recipient of a grant through the Immigrant
93 Justice Legal Services grant program, pursuant to section 3 of the Limited Purpose Credential
94 Clarification Emergency Amendment Act of 2023, as introduced on July 10, 2023 (introduced
95 version of B25-XXX).”.

96 (b) Subsection 114.5 is amended as follows:

97 (1) The lead-in language is amended by striking the phrase “except as set forth in
98 Subparagraphs (j)-(m)” and inserting the phrase “except as set forth in Subparagraphs “(j)-(n)” in
99 its place.

100 (2) A new paragraph (n) is added to read as follows:

101 “(n) A document provided by the Office of Migrant Services, or a nonprofit organization
102 that has a contract with the Office or is a current recipient of a grant through the Immigrant
103 Justice Legal Services grant program, pursuant section 3 of the Limited Purpose Credential
104 Clarification Emergency Amendment Act of 2023, as introduced on July 10, 2023 (introduced
105 version of B25-XXX). A second document is not required to establish present residency. An
106 applicant whose submission is accepted under this provision is not required to comply with
107 subsection 114.6.”.

108 Sec. 5. Fiscal impact statement.

109 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
110 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
111 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

112 Sec. 6. Effective date.

113 This act shall take effect following approval by the Mayor (or in the event of veto by the
114 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
115 90 days, as provided for emergency acts of the Council of the District of Columbia in section
116 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
117 D.C. Official Code § 1-204.12(a)).