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Driver's license challenge struck down

New rules on immigrant resident licenses upheld

Updated: Thursday, 31 Dec 2009, 8:01 PM CST
Published : Thursday, 31 Dec 2009, 5:42 PM CST

AUSTIN (KXAN/AP) - An appeals court has cleared the way for the Department of Public Safety to enforce separate driver's license rules for immigrant residents of Texas, which supporters such as Gov. Rick Perry say are needed to ensure public safety and national security.

The Third Court of Appeals ruled in favor of the Department of Public Safety in its opinion , removing a temporary injunction granted by a district court judge and noting "all of Appellees' remaining claims are dismissed for lack of subject-matter jurisdiction on the basis of sovereign immunity."

Civil rights advocates sued the Texas Department of Public Safety to block new driver's license requirements for immigrants. The advocates filed the lawsuit in a state district court in Austin last January, contending the new rules discriminate against people legally in the United States.

The lawsuit aimed to force DPS to stop enforcing the rules, which took effect Oct. 1. The new rules require noncitizens to show official work authorization proof in the form of an official employment authorization document every six months to renew their licenses.** However, supporters of the new policy, including Perry, said the rules are intended to keep illegal immigrants from getting licenses and fight fraud and identity theft.

The suit was filed on behalf of three women legally working in the United States. The group said the three have been denied or likely will be denied license renewals because the DPS does not accept their work authorization status.

****FosterQuan correction to news article:** The new rules require noncitizens to show official work authorization proof, such as an employment authorization document or a properly stamped I-94 card, with at least six months remaining on the validity period of such document to obtain an initial, renewal or duplicate driver license or identification card. In most cases, the driver license or identification card expiration date will match the expiration date of the employment authorization document unless otherwise noted on the Texas DPS Temporary Visitor Issuance Guide, which can be found at http://www.txdps.state.tx.us/administration/driver_licensing_control/ImmigrationStatusChart.pdf.