

DPS eases rules for immigrant truckers

Deal on forms puts legal drivers back on the road

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For the first time in nearly two months, Pasadena [truck driver](#) Salvador Gutierrez has hope that he will be able to get his [commercial driver's license](#) back and get back behind the wheel of his 18-wheel Kenworth truck.

On Thursday, [Texas Department of Public Safety](#) officials announced they were backing off from a new paperwork requirement that resulted in the cancellations of commercial driver's licenses for Gutierrez and hundreds of other immigrants who lacked certain immigration and travel documents but still were authorized to work in the U.S. by the federal government.

"This is very good news," Gutierrez, 36, a native of [El Salvador](#), said Thursday. "My truck is still sitting there parked. I've lost thousands of dollars."

The controversy centers on a change to the Texas Transportation Code enacted in 2007 but only recently enforced by DPS. The state requires anyone who is not a U.S. citizen, legal permanent resident, asylum recipient, or refugee to obtain a "non-resident" commercial driver license. In recent months, DPS started requiring for this license a specific combination of documents — a passport, visa, [Social Security card](#) and a valid I-94 form issued by [U.S. Customs and Border Protection](#) officers upon arrival to the U.S.

But those specific requirements - particularly the I-94 form - resulted in the exclusion of immigrants the U.S. government had granted [Temporary Protected Status](#) or TPS, a kind of temporary reprieve from deportation for people from countries ravaged by natural disasters or destabilized by war.

Even though TPS recipients are legally authorized to work in the U.S., they typically lack I-94 forms.

After the truck drivers protested, buoyed by support from local immigrant advocates, DPS officials met with two state lawmakers and several immigration attorneys and reviewed the requirements. Gordon Quan, a Houston immigration attorney and chairman of the Immigration Section of the [State Bar of Texas](#), said DPS officials were open to suggestions to accept alternative immigration documents.

"I think it was just a lack of understanding," Quan said. "In a way I think it shows the system can work."

Starting Monday, immigrants whose licenses were canceled can re-apply without the I-94 form if they can produce an I-797 form, which is issued by [U.S. Citizenship and Immigration Services](#) to TPS recipients, said DPS spokeswoman Tela Mange. They also will be expected to show DPS officials an employment authorization document, passport and Social Security card, Mange said. If they do not have a Social Security card, DPS will issue them a temporary commercial driver's license valid for 60 days while they wait for the card.

"It was an injustice," said Maria Jimenez, a Houston immigrant advocate with CRECEN/America Para Todos, which lobbied on behalf of the truckers. "They're legal. They're here to stay."

Gutierrez was granted temporary legal status in 2002 after an earthquake hammered his native El Salvador. He said he was shocked to learn during a December traffic stop that the state had canceled his commercial driver's license in March. He said he never got a letter warning him that there was a problem.

Gutierrez, a father of three, said he plans to go to the DPS office first thing Monday, with all of the required documents in hand.

A community forum on the changes will be held from 2 p.m. to 4 p.m. Saturday at the Palais Royal Room at PlazAmericas shopping center at 7500 Bellaire Blvd.

