

# Florida SB 1718: Driver's Licenses and Permits

Information on a new Florida law from CLINIC's State and Local Project



CATHOLIC LEGAL  
IMMIGRATION  
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For information on other sections of the law, please visit: [bit.ly/FloridaSB1718](https://bit.ly/FloridaSB1718)

## Provisions in the Law

- Driver's licenses and permits issued by other states exclusively to "unauthorized immigrants" are not valid in Florida.
- Law enforcement officers are required to cite a person driving with such a license.
- The Department of Motor Vehicles must maintain a current list of the out-of-state classes that are invalid in Florida.

## Who Is Impacted

- Undocumented migrants with driver's licenses or permits issued by other states exclusively to unauthorized immigrants.
- On July 1, 2023, the Florida Department of Highway Safety and Motor Vehicles (FLHSMV) published a list of states to which this rule now applies. A few days later, it updated its page. As of July 24, 2023, the list includes Connecticut and Delaware. As the law specifically requires FLHSMV to maintain the list, [this](#) is where one can access the list and go for updates.
- There are various states that provide driver's licenses and/or permits to undocumented immigrants. You can find the list of state laws [here](#). Please note that both the Massachusetts as well as Rhode Island laws just went into effect this July 1, and Minnesota goes into effect next July. \*Rhode Island was initially included in the July 1 list but was [removed](#) after the FLHSMV received information from the Rhode Island DMV. Vermont was removed from the list on July 17, 2023, followed a few days later by Hawaii.

## Important Information for the Community

- Be aware that the FLHSMV is publishing this list, but they also indicate it is not definitive.
- The law has exemptions including:
  - U.S. government employees operating a U.S. government vehicle;
  - "Any road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway;"
  - Operating golf carts under section [316.212](#).

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Want more information on CLINIC's State and Local Immigration Project? Contact Viviana Westbrook at [vwestbrook@cliniclegal.org](mailto:vwestbrook@cliniclegal.org)

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## Important Information for the Community (Continued)

- This law goes into effect on July 1. There may be legal challenges based on the Full Faith & Credit Clause of the Constitution and other reasons, but until this happens, and a court makes a decision to stop enforcement of this section (or any other one), we must treat the law as valid.
- Because of last year's SB 1808 Florida law that expanded 287(g) – or cooperation between local law enforcement and federal immigration enforcement – trips into Florida for undocumented migrants could pose additional concerns. Migrants who are stopped for minor traffic infractions could be cited in a jail and trigger 287(g). Even if certain jurisdictions are saying they will not ask for immigration status when stopping individuals, the fact is that those taken to a jail for their citation will trigger 287(g).
- For advocates looking to pass driver's license laws in states other than Florida, please be sure that undocumented migrants are not singled out in one driver's license benefit category to ensure such laws do not run afoul of Florida's SB 1718.

## Actions to Take

- Be sure to track and share stories with trusted organizations.