

The Precursor of National Identification Cards in the U.S.: Drivers Licenses and Vehicle Registration in Historical Perspective

By Carl Watner

Introduction: Why?

Most of us living in the United States are accustomed to calling this country the most important bastion of the "free" world. If that is so, why is it that we now hear increased demands for national identification cards which would allow our government to number us like slaves and literally keep track of our every movement? Why do our automobiles and pickups have to be registered with our state governments, when our computers, photocopies, television sets, power tools, and other personal property do not? Why does the government require that we pass a state test in order to operate "our" cars? Why do we have government-issued drivers licenses, rather than ones issued by our insurance companies, driver's schools, or private safety institutes? Why is the federal government now calling for standardization of state-issued drivers licenses? What is the history of these government imposed requirements and could all of this be part of a long-term pattern - deliberate or otherwise - that is leading directly to national ID? The purpose of this paper is 1) to shed some light on the history of drivers licenses and state vehicle registration; and 2) to explore the implications of government-issued drivers licenses and vehicle registration. These topics are important to understand because the calls for national identification cards would be far fewer if we did not already embrace state-issued documents certifying our birth, identity, and driving "ability." If we accept the principle that government ought to be involved in birth certificates and driver licensing, then why shouldn't it be involved in issuing national I.D.? By what principle of logic can you endorse the one and oppose the other?

Although we expect the federal and state governments to build and maintain the roads, the development of the automobile was strictly a free market phenomenon, largely spawned by individual entrepreneurs and inventors, such as Ransom Olds, James Packard, and later Henry Ford, whose ideas about mass production revolutionized car manufacturing. These backyard American tinkerers took machined steel, crafted their own internal combustion engines, and mounted them on their old farm wagons and horse-drawn buggies. The results were some of the earliest self-propelled vehicles, which

they soon refined and offered for sale. >From the very start of this process, government had no involvement. The steel, the wagons, the motors: all were the private property of those who built automobiles. Hence, there was no inherent necessity or reason that these new automobiles had to become subject to government regulation. In fact, "[d]uring the early years of the motor age, any person could drive an automobile or truck without restrictions One [was] as free to operate a motor vehicle as to drive a span of horses." ^[1] Private roads could have evolved without government controls, much like in the early petroleum industry, where private parties constructed their own pipelines on private property. But since the roadways had always been owned, operated, and regulated by local or state governments (federal aid did not begin until 1916), few people questioned the state's jurisdiction over the automobile and driver.

Before 1901, state governments had little to do with motoring. Most early legislation affecting the automobile and other wheeled vehicles "was the product of the cities, towns, and villages." ^[2] For example, in 1898 the city of Chicago had in force a law which required that the owners of "wagons, carriages, coaches, buggies, bicycles, and all other wheeled vehicles propelled by horse power or by the rider" pay an annual license fee. ^[3] (The law was ultimately declared unconstitutional.) A year later, Chicago passed another ordinance which "required the examination and licensing of all automobile operators" in the city. ^[4] At the same time, New York City had an ordinance which required that drivers of steam powered cars be licensed engineers. ^[5] Mitchell, South Dakota, (population 10,000: a city supporting two newspapers and a university) imposed a total ban on the use of motorized vehicles!

From these humble origins, government regulation of vehicle operation and operators has evolved to the point where hundreds of millions of American adults have state drivers licenses; hundreds of millions of their vehicles carry state license tags, registration cards, and state certificates of titles. Short of issuing every adult a federal identification card, the drivers license (and its companion non-operator identification card) is the most widely government-provided and utilized means of identification in the United States. Legally, a drivers license is to be carried whenever one is operating a motor vehicle on a government road, so millions of Americans have been conditioned to use a government-issued card to prove who they are and to show that they have been granted a state privilege to operate a vehicle. It is only a small step to visualize millions of Americans carrying a federally-issued smart card programmed to serve as personal identification, drivers license, bank card, credit card, and medical history dossier. Hence, I believe it is accurate to describe state drivers licenses as the precursor of national ID cards.

Driver Licensing

Although there is no comprehensive history of the establishment of automobile drivers licenses, personal anecdotes, government legislative records, and histories of the automobile offer many details about early licenses. (By a drivers license, I refer to the requirement that motor vehicle drivers have a valid, state-issued piece of paper in order to legally drive; and by driver license examination, I mean the operator has passed a state-administered written and/or oral test about driving rules, a vision test, and a state-administered driving test proving his skills.) One thing is clear from the historical record: While the justification for government licensing of automobile operators was sometimes a safety issue, in a majority of the states, driver competency examinations were not imposed until years after the initial licensing regulations were adopted.

In the early days of motoring, every American learned to drive without any assistance from local, state, or federal government; most learned to drive safely; and most never had any government document to identify themselves or to prove that they had ever passed any government driving test. The states of Massachusetts and Missouri were the first to establish drivers licensing laws in 1903, but Missouri had no driver examination law until 1952.

Massachusetts had an examination law for commercial chauffeurs in 1907, and passed its first requirement for an examination of general operators in 1920. The first state to require an examination of driver competency was Rhode Island in 1908 (it also required drivers to have state licenses as early as 1908). South Dakota was both the last state to impose drivers licenses (1954), and the last state to require driver license examinations (1959). ^[6] *Our contemporary belief that drivers licenses were instituted to keep incompetent drivers off the road is a false one.* The vast majority of Americans who drove already knew how to drive safely. Why the state governments demanded that they have a state-issued license and pass a government test appears to be more a matter of "control" than of public safety. Why early 20th Century Americans did not resist licensure and did not see where it might lead is another question.

Personal reminiscences of many elderly Americans verify this assertion. For example, one author in VINTAGE JOURNAL wrote that "I remember when the first drivers licenses came out. They cost 50 cents and you didn't have to take a test." ^[7] Here are a few other comments located on the internet:

In Jefferson County, Kansas "on July 8, 1947, someone from the county seat (Oskaloosa) came to Meriden to issue driver's licenses. Anyone who was 16 years or older and paid the fee was immediately issued a drivers license. No test. The date was easy to remember because I was 16 on that day and did

get my drivers license." ^[8] [Licenses were first required in Kansas in 1931, and driving examinations in 1949.]

During the 1930s in Georgia ... "you didn't have to take a test for driving. You sent for the permit by mail." ^[9] [There were no drivers licenses in Georgia until 1937, and no driving examination until 1939.]

In Missouri the gas stations sold drivers licenses -- "no test. For 25 cents, they gave you a stub -- you had this until the `real' license came in the mail." ^[10] [As noted, Missouri was one of the first states to require licenses (1903), but examinations were not required until 1952.]

In Washington state drivers licensing was started in 1921. "Applicant must furnish signatures of two people certifying that the person is a competent driver and has no physical problems that would impair safe driving." ^[11] [Driving examinations were not initiated until 1937.]

James J. Flink presents a different point of view in his book, AMERICA ADOPTS THE AUTOMOBILE (1970). In his discussion of "Licensing of Operators" (pp. 174-178) he notes that "Automobile interests were well ahead of municipal and state governments by 1902 in recognizing that the compulsory examination of all automobile operators would be desirable. ... Officials of both the American Automobile Association and the Automobile Club of America publicly advocated ... that the states should certify the basic competence of all automobile operators by requiring them to pass an examination before being allowed on the road." ^[12] It is clear, however, that widespread public sentiment did not exist to support these proposals. It was years before all the state governments passed such laws. In summarizing, Flink concludes that

Despite the motorist's own desire to have their competence examined [an assumption which I would challenge] and certified, state governments still remained reluctant to take adequate action at the end of the first decade of the twentieth century. As of 1909, only twelve states and the District of Columbia required all automobile drivers to obtain licenses. Except for Missouri, these were all eastern states - Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, and West Virginia. In seven other states, only professional chauffeurs had to obtain operator's licenses - The application forms for operator's licenses in these nineteen states as a rule asked for little more information than the applicant's name, address, age, and the type of automobile he claimed to be competent to drive. This might have to be notarized, but in the vast majority of these states a license to drive an automobile could still be obtained by mail. In the twelve states that all operators had to be licensed, a combined total of 89,495 licenses were issued between January 1 and October 4, 1909, but only twelve applicants were

rejected for incompetency or other reasons during this period - two in Rhode Island and ten in Vermont. ^[13]

It is simply impossible to determine how well the general population complied with these laws. Flink offers a telling statistic, however: observing that a roadcheck in Boston, Massachusetts in 1904 revealed only 126 of the 234 motorists stopped were in compliance with Massachusetts state registration and licensing requirements. ^[14]

Vehicle Registration

"In the realm of government jurisdiction over traffic safety, matters at first fell to revenue collection agencies on the one hand and to law enforcement agencies on the other. Vehicles were initially licensed solely for the purpose of collecting revenue, and not for many years did the notion appear of vehicle inspection for safety purposes." ^[15] Although the history of vehicle registration is nearly as sketchy and incomplete as the history of drivers licensing, some limited evidence is available to back up this statement. In New York, the first state to require vehicle registration (in 1901), the law required a motorist to display a state issued number or his initials on his automobile. ^[16] The system in widespread use today, which encompasses a state-issued certificate of title, an annual or biennial registration fee, and state-issued license plate, was unknown in numerous states, as late as 1967. ^[17] When registration was imposed, in most cases it was perennial, signifying that it only had to be completed once and that it lasted as long as the owner of the vehicle owned it or lived in the county in which it was registered. By 1905, 26 states had instituted vehicle registration, but only three of the twenty-six had annual registration requirements. By 1915, every state in the union had some sort of registration law, but it was not until 1921 that annual registration was required in all states.

In FILL'ER UP!: The Story of Fifty Years of Motoring (1952), Bellamy Partridge offers the following description of the evolution of vehicle registration in New York state:

Members of the [New York] state legislature, having officially discovered the motor vehicle, were not long in working out a method of imposing a tax on it by requiring registration. Motorists did not particularly object to [having their vehicles] registered. It gave them a feeling of importance, and many of them smiled as they read the printed instructions (which had come with the applications for registration):

"Every owner of an automobile or motor vehicle shall file in the office of the Secretary of State a statement of his name and address and a brief description of the character of such vehicle and shall pay a registration fee of

\$ 1.00. Every such automobile or motor vehicle shall have the separate initials of the owner's name placed on the back thereof in a conspicuous place. The letters of such initials shall be at least three inches in height."

Registration in New York state for the year 1901 was 954 motor vehicles, The following year saw an increase of 128. However, the initials proved to be an unsatisfactory form of identification, since there were numerous duplications and the printed letters were not always easy to read. The suggestion was made that the motor vehicles should be named as in registration of vessels so that duplication might be avoided. But this method failed of acceptance and the state began registering the vehicles according to number. For each car registered, the state issued a numbered metal disc. ^[18]The disc could be carried in the pocket of the motorist, but he was required at his own expense to display the figures in Arabic numerals on the back of the vehicle where they would be plain and visible.

This brought out some fancy numerals of every color of the rainbow, and quite a few numbers from people who had not bothered to get a disc. Artistically inclined motorists painted their numbers on the body of the car, surrounded by landscapes, sunsets, or other ornamental designs. There were complaints about this, and the following year the state began to furnish number plates and raised the registration fee to \$ 2. ^[19]

Vehicle registration appears to have originated for two primary reasons. The first is alluded to in the opening lines of the above quote. Registration and license fees were viewed as "a major source of revenue for highway purposes. Until 1929, these sources provided the major share of revenue derived from highway users." ^[20] The second reason was the need to be able to identify vehicles, both for purposes of taxation as well as for identifying those that were operated recklessly or unsafely. Flink derides the opposition to Detroit's vehicle registration law of 1904: "They claimed that the \$ 1 fee [for registration] constituted double taxation of personal property and that the ordinance was unjust `class legislation' because owners of horse-drawn vehicles were neither forced to carry identification tags nor deprived of the right to allow children under sixteen years of age to drive their vehicles." ^[21]Flink then adds:

Undoubtedly, the most important reasons for motorists' objections to numbering ordinances remained covert. Motorists generally feared that the facilitation of identification of their vehicles would increase chances of arrest, fine, imprisonment, and the payment of damage claims. Also, registration helped tax assessors identify and locate automobile owners who were evading payment of personal property taxes on their cars. To cite but one example, it was estimated that in Denver one-third of the automobiles in the city had gone untaxed prior to the adoption of a registration ordinance. Since

such motives could not be expressed legitimately, motorists were forced to cloak their cases in the respectable mantle of the constitution... . Probably the last such effort worth noting was a halfhearted attempt, undertaken after a year's hesitation, by the National Association of Automobile Manufacturers to test the constitutionality of state motor vehicle registration laws in 1905. By then, however, most motorists had become convinced that "the continual wrangling with authorities was a much greater annoyance than carrying numbers." [22]

The earliest registration laws were imposed by municipalities or counties, rather than by the states, and this proliferation actually led to the demand for federal registration of vehicles as early as 1905. Motorists in 1906 found the situation in Missouri deplorable. In order to drive legally in every county in that state, a motorist had to pay \$ 295.50 in registration fees. The law was ultimately changed so that after June 14, 1907, only a single state-wide registration of \$ 5 was required. Such registration expired "when either the vehicle was sold or [when] the owner's county of residence changed." [23] Flink points out that national registration would have been valid in all states and would have eliminated the confusion caused by "dinky legislatures, county boards, or town trustees and supervisors." [24] Under the guise of "regulating interstate commerce," both the American Automobile Association and the National Automobile Chamber of Commerce "backed a bill in the 60th Congress [1907] that would have required Federal registration for all vehicles." [25] The bill died in committee "because legislators doubted the necessity for and the constitutionality of such an extension of power of the federal government," and by 1910 the movement was diffused by "the general adoption of interstate reciprocity provisions and a trend toward increased uniformity in the motor vehicle laws of the various states." [26]

Although there appear to have been no legal challenges to the constitutionality of requiring drivers licenses, there were a number of test cases in several states which challenged the legitimacy of the registration laws. Invariably these laws were upheld on the basis that they were a proper exercise of the police power of the state to provide for the health, safety, and comfort of the citizenry. [27] The earliest registration laws were justified by state authorities, as well as vehicle owners, by referring to "the need of identifying a vehicle with its owner as a protection against theft." [28] In order to provide this service, the states created motor vehicle administrations and state highway commissions, and these bureaucracies required funds in order to function. It was invariably held by the courts that fees collected for the registration of vehicles and for the maintenance of the highways were legitimate. In a discussion of "The Constitutionality of Motor Vehicle License Fees and the Gas Tax," published in 1924, it was noted "that the State[s] had, without any

doubt, the right to regulate the use of its highways and that in doing so [they] could compel the registration and numbering of automobiles; [and] that [they] could impose fees which would compensate the State for the expenses and costs which such legislation entailed, but that such fees had to be reasonable and fair...". ^[29] An earlier case in New Jersey, ultimately sustained by the U.S. Supreme Court, held that "imposition of license fees for revenue purposes was clearly within the sovereign power of the State." ^[30] As a test case in Detroit put it, vehicle registration requirements and fees were "a justifiable exercise of the police power in the interest of the safety of the travelling public," ^[31] and this new form of taxation was accepted by the American populace so long as they believed it would be applied to "securing better roads." ^[32]

Better Roads: Public or Private?

The extended use of the automobile increased the agitation for good roads during the first decades of the 20th Century. During those years, real and personal property taxes and other general revenues supplemented by State and local bond issues were the main source of road construction, improvement, and maintenance. At that time there were no interstates, or any well-traveled routes across the country. The first person to wage a national campaign for a transcontinental highway was Carl G. Fisher, the man who founded the Prest-O-Lite Company and inaugurated the Indianapolis 500 race in 1911. In September 1912, he publicly laid out plans for "a road across the United States," which he dubbed the Coast-to-Coast Rock Highway. He calculated that the road could be graveled for about \$ 10 million. "This money would be used to buy only basic road-building materials; the labor and machinery, he said, would be provided by the counties, towns and cities, along ... the route," which eventually became known as the Lincoln Highway. ^[33]

"To fund this grand project, Fisher proposed outright donations of cash from the manufacturers of automobiles and auto accessories." He encouraged pledges of 1% of gross revenues (prorated at 1/3 of 1% for 3 years, or 1/5% of 1% for 5 years), and asked automobile owners, as well as members of the general public, to subscribe to an annual \$ 5 membership. Frank A. Seiberling of the Goodyear Tire and Rubber Company immediately pledged \$ 300,000. Portland cement companies all along the route made donations in kind, totaling many thousands of barrels of cement. ^[34] Other leading manufacturers waited to hear what Henry Ford thought of the project. If Henry Ford, with some 118,000 Model T's on the road by 1912, offered his support, so would they; but as it turned out Ford did not believe in using his money to build the

Coast-to-Coast Rock Highway. Writing on behalf of Henry Ford, James Couzens, secretary and treasurer of Ford Motor Co., informed Fisher: Frankly the writer is not very favorably disposed to the plan, because as long as private interests are willing to build good roads for the general public, the general public will not be very much interested in building good roads for itself. I believe in spending money to educate the public to the necessity of building good roads, and let everybody contribute their share in proper taxes. ^[35]

Nor would Ford change his mind: "The highways of America should be built at taxpayers' expense." ^[36]

Although Ford's refusal to support the private efforts of the Lincoln Highway Association stymied its attempts to build a transcontinental highway, Fisher, with the assistance of Henry B. Joy, president of Packard Motor Company, pressed on to provide marking for the entire route and to build at least one mile of experimental concrete highway in each of the states the route crossed. The test roadways were actually built in Ohio, Indiana, Illinois, Iowa, and Nebraska. The efforts of the Association, though only partially successful, gave some credence to Rose Wilder Lane's statement in her 1943 book, *Discovery of Freedom*:

... American government should have never interfered with highways. Americans created a free, mutual association, the American Automobile Association, which was dealing with all the new questions arising from the invention of automobiles. Private enterprise originated and built the first trans-Continental highway [this statement is not true if it refers to the Lincoln Highway]; free manufacturers and car-owners would have covered this country with highways, as free Americans covered it with wagon-roads. Americans wanted cars and highways; no police force was needed to take their money from them and spend it for highways. And it is injustice to the Americans who do not own cars, to compel them to pay for highways. ^[37] If American roadways had been private property, another question relating to the propriety of driver licensing would have been more easily resolved. Under common law, driving a team of horses, oxen, or mules was a matter of right. Such activities were clearly not a privilege granted to the individual by the state.

In one of the earliest decisions relating to registration and licensing, the Supreme Court of Illinois stated that the City of Chicago might regulate commercial activities, such as those engaged in by draymen, but "no reason exists why [licensing] should apply to the owners of private vehicles used for their own individual use exclusively, in their own business, or for their own pleasure, as a means of locomotion."

Anything which cannot be enjoyed without legal authority would be a mere privilege, which is generally evidenced by a license. The use of the public

streets of a city is not a privilege but a right. ... A license, therefore, implying a privilege, cannot possibly exist with reference to something which is a right, free and open to all, as is the right of the citizen to ride and drive over the streets of the city without charge, and without toll, provided he does so in a reasonable manner. ^[38]

Over one hundred years have passed since this decision, and now the general legal consensus is that driving is a privilege, not a right. How we reached that point remains to be explained, but the actions of the American Bar Association's National Conference of Commissioners on Uniform State Laws should not be overlooked. Organized in 1889, as part of an effort to standardize state laws, the Commissioners developed a Uniform Motor Vehicle Operation and Chauffeur's License Act in 1926. ^[39] This was at a time when driving was still recognized as a common law right in at least the 8 states which issued no licenses (either operator or chauffeur). "Thus the ABA, under its self-appointed mandate to produce uniformity [of laws] among the states, labored to license every driver in America." ^[40]

In 1935, a debate in the Texas legislature centered on the issue of whether or not Texans had a "God-given unalienable RIGHT TO DRIVE." The Texas Senate had approved the American Bar Association's Licensure Act, which viewed driving as a privilege, rather than a right. "The Texas House knew all to [sic] well that Texans had been driving cars and trucks for ... years on the roads of Texas without approval from anyone." ^[41] Thus the Texas' House version of the law read as follows:

Every person in this State desiring to operate an automobile under the provisions of this law shall upon application and identification be issued an operator's license to drive by the county clerk of the county in which the motor vehicle is registered. But every person in this State over the age of fourteen (14) years and who is subject to none of the disqualifications herein- after mentioned, shall have the right to drive and/or operate a motor vehicle, as that term is now defined by law, upon the public highways and roads of this State. ^[42]

Although the "right to drive" language was finally incorporated in Section 17 of the Texas law of 1935, it was removed by the legislature in 1937.

Nevertheless, it is apparent that some Texans recognized the unalienable right to drive was being negated by the legislation and the American Bar Association's Committee on Uniformity.

Conclusion

The end result of the ABA's efforts of "creating a country-wide trend toward uniformity" and standardization may result in a multi-use federal or state-

issued drivers license and/or identification card. [43] If a federally-issued smart card were used, it could be structured in such a way that "the revocation of driving privileges would allow you to keep the card and use it to function for other purposes without actually having the issuing authority repossess the card or require you to turn it back into them." [44] A simple change in programming at the central data bureau would indicate to anyone checking the card that your driving privileges were temporarily suspended or denied, but you could use the card to draw money out of your bank account, to vote, or to identify yourself at the hospital.

Although we do not have a national identification card (yet), the drivers license of today is clearly an indication of what might occur. "Embossed with a photograph, current address, a validated signature, and (often) a social security number, the license is routinely requested by merchants when asked to accept a check, by vendors of alcohol to validate a young person's age, by voter registrars to enfranchise individuals, or by numerous others who need some reliable form of personal identification. ... A drivers license is the only form of identification held by a majority of Americans and controlled and distributed by the State. In 1989, 79 percent of females and 91 percent of males (aged 16 and older) in America held drivers licenses. In all, 165 million Americans h[e]ld licenses as of 1989" and the percentages and numbers are probably higher today. [45] Such multitudinous contact with the State is not always ennobling. As the Secretary's Advisory Committee on Traffic Safety noted in February 1968:

... the average adult American citizen [has] more direct dealings with government through licensing and regulation of the automobile than through any other single public activity. Not all of these dealings [are] especially uplifting, and some [have] acquired implications all the more ominous because they so quickly came to be regarded as natural. Thus in the course of the regulation of highway traffic, the incidence of arrest [for violation of motor vehicle laws] by armed police in the United States has undoubtedly reached the highest point for any civilization, democratic or totalitarian, in recorded history. While ours is assuredly a free society, it has nonetheless become commonplace for an American citizen to be arrested by an armed officer of the law. Indeed, so frequent have such arrests become - in 1965 the California Highway Patrol alone made 1 million - that experience has ceased to be regarded for what it is at law and has come to be looked on as a rather routine accompaniment of modern life. One may well question whether the instincts of a free people will not one day be impaired by the habit of being arrested without protest; certainly the pervasiveness of automobile-related regulatory activity is a matter about which we must all agree. [46]

Drivers licensing and vehicle regulation are precursors to national ID. Both are trademarks of totalitarianism. Read the above quote again if you do not believe me!

Is there not something Orwellian about the way the requirements for compulsory birth certificates and compulsory drivers licenses complement each other? Isn't this development a perfect example of how government manages to spin a web of power to ensnare unaware citizens? No one, obviously, planned the invention and development of the motorized vehicle, but notice how government has used the automobile to control the citizenry and promote submission. First, the government "owns" the roads which it forces everyone to pay for regardless of how much they use them, or whether or not they own and drive a vehicle. Government ownership of the roads is socialism, despite the fact that most people refuse to recognize it as such. Second, the government began requiring that children have birth certificates. That demand preceded, and was, obviously, unrelated to the issuance of drivers licenses. Then the government required drivers licenses, but there was no need to show proof of who you were. Then it became a precondition to the issuance of a drivers license that one must present a government-issued birth certificate. The loss and denial of the common law right to drive (without any sort of government license) upon the state's roads only accelerated this trend toward total control. ^[47]

Pick any piece of government legislation that has been implemented in the last fifty years. Consider anti-bank secrecy and money laundering legislation: what started out as a requirement that banks keep microfilmed copies of customers' checks has turned into a call for electronic banking, where the use of cash in amounts larger than \$ 3000 must be reported by both the banks and the parties receiving the cash. Look at other examples: health care; firearms regulations; the drug war; asset forfeiture programs. Practically every new piece of legislation leads to further and further government intervention. Haven't the uses for Social Security numbers expanded far beyond the wildest expectations of everyone? Won't the same hold true for national ID?

When the government has the technical ability to identify and track every person in its jurisdiction, and make an outlaw and criminal of any person who refuses to carry government "papers," then we have truly reached the situation described in Orwell's *1984*. Additionally, consider the mission creep built into these ID proposals. Not only will a national ID card keep track of who we are, they have the potential to show where we have been, what health care we have received, what we have spent our money on, where we have spent it, whether or not we have voted, and whether or not we have paid our taxes.

What is it about the operation of government that ordinarily makes it expand and expand? "How is it that everything the government does leads to greater control for it, less freedom for us?" [48] Theodore Lowi, a political scientist at Cornell University in the late 1970s and early 1980s, did a good job of explaining the reason why we always seem to get more government, rather than less. In his book, *Incomplete Conquest: Governing America*, he wrote: Every action and every agency of contemporary government must contribute to the fulfillment of its fundamental purpose, which is to maintain conquest. Conquest manifests itself in various forms of control, but in all those forms it is the common factor tying together into one system the behavior of the courts and cops, sanitation workers and senators, bureaucrats and technocrats, generals and attorney generals, pressure groups and presidents. [49]

Although Lowi did not include them, we might add government health departments (that issue birth certificates), government motor vehicle administrations (that issue driver licenses), the Immigration and Naturalization Service (which is responsible for keeping track of aliens residing in the US), and the Office of Homeland Defense (which is responsible for waging the War on Terrorism). If and when it comes, a national ID program will be part and parcel of Lowi's description of the "fundamental purpose" of government "which is to maintain conquest." [50]

Endnotes

[1] [Richard Shelton Kirby, "Motor Vehicle Accidents," Volume 11, ENCYCLOPEDIA OF THE SOCIAL SCIENCES \(New York: The Macmillan Company, 1933\), p. 72.](#)

[2] [Bellamy Partridge, FILL'ER UP! The Story of Fifty Years of Motoring \(New York: McGraw-Hill Book Company, 1952\), p. 45.](#)

[3] [The City of Chicago v. Lorin C. Collins, Jr. et. al., 175 Illinois 445 \(October 24, 1898\), pp. 445 - 459 at p. 446.](#)

[4] [James J. Flink, AMERICA ADOPTS THE AUTOMOBILE, 1895-1910 \(Cambridge: The MIT Press, 1970\), p. 174.](#)

[5] [ibid.](#)

[6] ["Year of First State Driver License Law and First Driver Examination," Table DL-230 \(June 1977\) in U.S. Department of Transportation, Federal Highway Administration, HIGHWAY STATISTICS SUMMARY TO 1975, \(Washington, D.C.: U. S. Government Printing Office\), Report No. FHWA-HS-S75, at page 71.](#)

[7] [Mary O. Stone, "Motorcycle keeps 90 year-old man going," at <http://www.vintagejournal.com/VJ0701/index.cgi?template=tp100&page=motorcylcekeeps.htm>](#)

- [8] <http://www.ku.edu/~medieval/kansas-l/1997/10/msg00007.html>
- [9] <http://www.angelfire.com/ga/GaBelle/volume1.html>
- [10] <http://genealogyinstlouis.accessgenealogy.com/memories.htm>
- [11] <http://seattletimes.nwsourc.com/news/local/html98/time24m/20000724.html>
- [12] [Flink, op. cit., p. 175.](#)
- [13] [ibid., pp. 177-178.](#)
- [14] [ibid., p. 187.](#)
- [15] [REPORT OF THE SECRETARY'S ADVISORY COMMITTEE ON TRAFFIC SAFETY, U.S. Department of Health Education and Welfare, February 29, 1968 \(Washington, D.C.: U.S. Government Printing Office\), p. 6.](#)
- [16] [HIGHWAY STATISTICS SUMMARY TO 1975, op. cit., p. 43: "Year In Which Motor Vehicles Were First Registered," Table MV-230.](#)
- [17] [REPORT OF THE SECRETARY'S ADVISORY COMMITTEE ON TRAFFIC SAFETY, op. cit., p. 120.](#)
- [18] [The State of South Carolina at one time issued metal discs which functioned as drivers licenses. The discs were stamped with the name, address, and birth date of the driver, and often kept on the same ring as one's car keys.](#)
- [19] [Partridge, op. cit., pp. 46-47.](#)
- [20] [HIGHWAY STATISTICS SUMMARY TO 1975, op. cit., p. 42.](#)
- [21] [Flink, op. cit., p. 170.](#)
- [22] [ibid., pp. 170-171.](#)
- [23] [ibid., p. 172.](#)
- [24] [ibid.](#)
- [25] [Partridge, op. cit., p. 197.](#)
- [26] [Flink, op. cit., p. 173.](#)
- [27] [Hendrick v. State of Maryland, 235 U.S. 610 \(1915\). Hendrick, a resident of the District of Columbia, was arrested for driving in Prince George's County in July 1910, without a Maryland certificate of vehicle registration. At that time, Maryland did not extend reciprocity to the residents of the District of Columbia.](#)
- [28] [Basil Creighton, "Motor Vehicle Administration," in Jean Labatut and Wheaton J. Jane \(eds.\), HIGHWAYS IN OUR NATIONAL LIFE \(Princeton: Princeton University Press, 1950\), p.442.](#)
- [29] [Henry R. Trumbower, "The Constitutionality of Motor Vehicle License Fees and the Gasoline Tax," PUBLIC ROADS \(November 1924\), pp. 7-10, 14, at p. 9.](#)
- [30] [ibid., p. 8 referring to Kane v. New Jersey \(81 NJ 594\) and affirmed by the U.S. Supreme Court \(242 U.S. 160\) \[1916\].](#)
- [31] [People v. Schneider, 139 Michigan Reports 673 \(April 1905\) at p. 679. Schneider was convicted of operating a vehicle within the limits of the city of](#)

Detroit "without having first registered" the vehicle "and without placing thereon a number, as required by an ordinance of said city." The Michigan Supreme Court upheld his conviction.

[32] Flink, op. cit., p. 174.

[33] Drake Hokanson, THE LINCOLN HIGHWAY: Main Street Across America (Iowa City: University of Iowa Press, 1988), p. 6.

[34] THE LINCOLN HIGHWAY: The Story of a Crusade That Made Transportation History (New York: Dodd, Mead & Company, 1935), p. 20 and p. 127. What is so interesting is that these people contributed lots of their OWN time and money to the project. They didn't immediately turn to the government for help: When Carl Fisher asked "Why can't we build a highway across the continent from New York to San Francisco?" he meant "we' literally. He had no faith in the political system's ability to accomplish the task. If there was to be such a road, the automobile industry, which had the highest stake in the venture, would have to build it." This last quotation is from Jerry M. Fisher, THE PACESETTER: The Untold Story of Carl G. Fisher (Fort Bragg: Lost Coast Press, 1998), p. 77.

[35] Hokanson, op. cit., p. 8.

[36] ibid., p. 9.

[37] Rose Wilder Lane, THE DISCOVERY OF FREEDOM (New York: Arno Press & The New York Times, 1972), p. 213. This quote appears near the end of Section 7, "The Right to Vote," in Part Two, Chapter V, "The Third Attempt."

[38] The City of Chicago v. Lorin C. Collins, Jr. et. al., 175 Ill 445 (October 24, 1898) at pp., 456-457. The Court affirmed the illegality of the Chicago "Wheel Tax" ordinance.

[39] See National Conference of Commissioners, HANDBOOK OF THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS AND PROCEEDINGS OF THE THIRTY-SIXTH ANNUAL MEETING, Denver, Colorado, July 6-12, 1926. See pp. 458-459, 462-463, 478-479, and 524-525. Copy of this book was obtained from the Southern Methodist University, Law School Library, Call No. KF165.A2 (1926).

[40] "The Texas Driver's License Scam," a privately circulated manuscript prepared by Michael Ellis and the Ellis Family of Carrollton, TX circa 1995. See page 2.

[41] ibid., p. 3.

[42] JOURNAL OF THE HOUSE OF REPRESENTATIVES OF THE SECOND CALLED SESSION OF THE FORTY-FOURTH LEGISLATURE BEGUN AND HELD AT THE CITY OF AUSTIN, OCTOBER 16, 1935, (Amendments offered to Senate Bill 15, p. 278).

[43] Partridge, op. cit., p. 198.

[44] Dee Ann Divis, "Bill would push driver's license with chip," THE WASHINGTON TIMES, May 1, 2002, citing Shane Ham, a senior policy analyst at the Washington-based Progressive Policy Institute.

[45] Steven L. Nock, THE COSTS OF PRIVACY: Surveillance and Reputation in America (New York: Aldine De Gruyter, 1993), p. 59.

[46] REPORT OF THE SECRETARY'S ADVISORY COMMITTEE ON TRAFFIC SAFETY, op. cit., p. 3. Italics in the original.

[47] It would be interesting to find out when the various states began demanding presentation of a birth certificate in order to obtain a drivers license, and how the federal government influenced this demand. No information on this topic was found during my research.

[48] Claire Wolfe made this statement while critiquing this chapter for me.

[49] Theodore Lowi, INCOMPLETE CONQUEST: GOVERNING AMERICA (New York: Holt, Rinehart and Winston, 1981, Second Edition), p. 13.

[50] Simson Garfinkel in his WIRED article of February 1994

(at <http://www.wired.com/wired/archive/2.02/dmv.html>), "Nobody Fucks with the DMV: The government is using your driver's license to play Big Brother," points out that "Oregon has 109 different offenses that can result in the temporary suspension of a driver's license; 50 of them have nothing at all to do with driving." As a means of enforcing other government laws, our defacto national ID - the drivers license - already acts as lever to exert governmental control over the driving populace in most of the states. Imagine how much more control could be induced by means of a national ID.