

No. ___, Original

In the Supreme Court of the United States

STATE OF FLORIDA,
Plaintiff,

v.

STATE OF CALIFORNIA and STATE OF WASHINGTON,
Defendants.

**MOTION FOR LEAVE TO FILE A
BILL OF COMPLAINT AND
PROPOSED BILL OF COMPLAINT**

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The State of Florida moves the Court for leave to file the accompanying Bill of Complaint. In support of its motion, the State asserts that its claims arise under the United States Constitution; its claims are serious and dignified; and there is no alternative forum to provide adequate relief.

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BILL OF COMPLAINT

The State of Florida, by and through its Attorney General, James Uthmeier, brings this suit against Defendants, the State of California and the State of Washington, and for its claims for relief states:

1. California's and Washington's open defiance of federal immigration laws is well-documented. Both States routinely frustrate and hinder federal law enforcement from addressing the immigration crisis and the destruction that accompanies it.

2. As relevant here, this resistance includes failing to honor the federal safety regulations regarding the commercial driver's licenses (CDLs) needed to operate eighteen-wheelers and other commercial motor vehicles. Federal law requires that States issuing CDLs abide by relevant safety and immigration status standards. California and Washington, however, chose to ignore these standards and authorize illegal immigrants without proper training or the ability to read road signs to drive commercial motor vehicles. California's and Washington's decision to endanger

their own citizens is reprehensible. But commercial drivers routinely cross state lines, endangering citizens of other States.

3. The result is mayhem in other States—States that choose to follow federal law and enforce CDL safety standards. Florida is the most recent victim; just a few weeks ago, an illegal immigrant—licensed by both Washington and California—attempted a reckless U-turn across a busy Florida highway in an eighteen-wheeler. That U-turn ignored the multiple road signs warning against such action, but the alien was later proven unable to speak or read English. The result was three fatalities and a flurry of costly preventative measures by Florida to limit the dangerous and improperly licensed drivers from threatening its roads and its citizens.

JURISDICTIONAL STATEMENT

4. This Court has original jurisdiction over cases and controversies between States under Article III, Section 2, Clause 2 of the United States Constitution. Title 28, § 1251(a) of the United States Code makes that jurisdiction exclusive.

5. The Court has construed these provisions to make its original jurisdiction “obligatory only in appropriate cases.” *Illinois v. City of Milwaukee*, 406 U.S. 91, 93 (1972).¹ Whether a case is “appropriate”

¹ *But see Texas v. California*, 141 S. Ct. 1469, 1472 (2021) (Alito, J., dissenting) (“The practice of refusing to permit the filing of a complaint in cases that fall within our original jurisdiction is questionable, and that is especially true when, as in this

turns on two factors: (1) the “seriousness and dignity of the claim” and (2) “the availability of an alternative forum in which the issue tendered can be resolved.” *Mississippi v. Louisiana*, 506 U.S. 73, 77 (1992).

6. This case satisfies both factors. The seriousness of the claim is unquestionable: California’s and Washington’s unwillingness to follow federal law has created a class of dangerous and unqualified commercial drivers, drivers who routinely cross state lines. And no other adequate forum is available for this dispute between separate sovereigns.

FACTUAL ALLEGATIONS

A. Federal Authority and Law Governing Commercial Driver’s Licenses

7. Given the ubiquity, and danger, of commercial motor vehicles, Congress created an extensive regulatory scheme governing CDLs. This regulatory system places great responsibility on partnering States to uphold and enforce these standards. California and Washington have intentionally abandoned their duties under this system.

case, our original jurisdiction is exclusive.”); *Alabama v. California*, 145 S. Ct. 757, 758 (2025) (Thomas, J., dissenting) (“[T]he Court’s assumption that it has discretion to decline review in suits between States is suspect at best” considering that “the Constitution establishes our original jurisdiction in mandatory terms.”) (quotation marks omitted).

1. Congress and the Department of Transportation extensively regulate commercial vehicle licensing and safety.

8. Congress, acting under its constitutional power to regulate interstate commerce, passed the Commercial Motor Vehicle Safety Act in 1986. 100 Stat. 3207-170, -183.

9. Under the current Commercial Motor Vehicle Safety Act, “[n]o individual shall operate a commercial motor vehicle without a valid commercial driver’s license issued” by a State. 49 U.S.C. §§ 31302, 31308.

10. And because commercial motor vehicles routinely travel across state lines, the Commercial Motor Vehicle Safety Act specifies that the Secretary of Transportation has the authority to “prescribe regulations on minimum uniform standards for the issuance of [those] commercial drivers’ licenses.” *Id.* § 31308.

11. In addition to granting the Secretary wide discretion to create uniform standards, the Act also establishes “minimum” standards for the issuance of a CDL. *Id.* These include requirements that “an individual . . . [must] pass written and driving tests” and “complet[e] . . . driver training that meets requirements established by the Secretary.” *Id.* § 31308(1).

12. These minimum standards are intended to “reduce or prevent truck . . . accidents, fatalities, and injuries[.]” 49 C.F.R. § 383.1(a). Given the reality that large commercial vehicles tend to inflict significantly

more damage than they receive in car crashes,² the need for uniform safety standards is paramount.

13. To further protect roadways, the Department of Transportation has provided for the “disqualif[ication]” of any “drivers who operate commercial motor vehicles in an unsafe manner.” *Id.*

2. The States are required to implement extensive safety testing standards and to ensure applicants provide citizenship documentation.

14. The Act also imposes strict requirements for state participation in the licensing scheme. A State must “adopt and carry out a program for testing and ensuring the fitness of individuals to operate commercial motor vehicles consistent with the minimum standards prescribed by the Secretary of Transportation.” 49 U.S.C. § 31311(a)(1). A “State may issue a commercial driver’s license to an individual only if the individual passes written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards.” *Id.* § 31311(a)(2).

15. Earning a CDL is a multistep process. To first receive a “Commercial Learner’s Permit,” the applicant must “provide to the State proof of citizenship or lawful permanent residency.” 49 C.F.R. § 383.71(a)(5). If the applicant is not a citizen or lawful permanent

² See Kevin Bullis, *Laws of Physics Persist: In Crashes, Big Cars Win*, MIT Technology Review (Apr. 14, 2009), <https://www.technologyreview.com/2009/04/14/214224/laws-of-physics-persist-in-crashes-big-cars-win/>.

resident, he may obtain a “non-domiciled” Commercial Learner’s Permit by providing “an unexpired employment authorization document” issued by the U.S. Citizenship and Immigration Services or “an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant’s most recent admittance into the United States.” *Id.* § 383.71(a)(5), (f)(2)(i). The regulations are clear that it is a State’s job to “[r]equire compliance with the[se] standards.” *Id.* § 383.73(a)(6).

16. Next, to qualify for a CDL, the applicant “must pass a driving or skills test . . . in a motor vehicle that is representative of the type of motor vehicle the person operates or expects to operate.” *Id.* § 383.71(b)(2). Not only that, the applicant must *again* “provide proof of citizenship or lawful permanent residency,” or, if he is seeking a non-domiciled CDL, be registered under that exception (and still meet all other requirements for obtaining a CDL, like passing a driving test). *Id.* § 383.71(b)(9), (f)(2)(i).³ Again, States must “[r]equire compliance with the[se] standards.” *Id.* § 383.73(b)(6), (g)(1).

17. The same standards apply when checking proof of citizenship or lawful permanent residency if

³ In April 2025, the President issued an Executive Order, “Enforcing Commonsense Rules of the Road for America’s Truck Drivers,” which ordered a review of “non-domiciled [CDLs] issued by relevant State agencies to identify any unusual patterns or numbers or other irregularities with respect to non-domiciled CDL issuance.” Exec. Order No. 14286 (Apr. 28, 2025), 90 Fed. Reg. 18759 § 4(a) (May 2, 2025), <https://www.federalregister.gov/documents/2025/05/02/2025-07786/enforcing-commonsense-rules-of-the-road-for-americas-truck-drivers>.

an individual with a CDL is seeking to transfer it to another State, renew it, or upgrade it. *Id.* § 383.73(c)(7), (d)(7), (e)(5).

18. The minimum standards contained in the regulations, and which States are tasked with implementing, guarantee that “[a]ll drivers of [commercial motor vehicles] . . . have the knowledge and skills necessary to operate a [commercial motor vehicle] safely.” *Id.* § 383.110. Those areas of knowledge include “20 general areas,” covering safe vehicle operations, performing various basic maneuvers, proper visual search methods, signaling intent, speed management, space management, and hazard perceptions. *Id.* §§ 383.111 (listing required areas of knowledge), 383.113 (listing required skills).

19. A State’s test for these areas of knowledge “must use the [Federal Motor Carrier Safety Administration’s] pre-approved pool of test questions.” *Id.* § 383.133(b)(1); *see also id.* § 384.201(a) (“The State shall adopt and administer a program for testing and ensuring the fitness of persons to operate commercial motor vehicles (CMVs) in accordance with the minimum Federal standards”); *id.* § 384.202 (“No State shall authorize a person to operate a CMV unless such person passes a knowledge and driving skills test for the operation of a CMV”).

20. “To achieve a passing score on each of the knowledge tests, a driver applicant must correctly answer at least 80 percent of the questions.” *Id.* § 383.135(a)(1). For a passing score on the skills test, the applicant must demonstrate that he can perform “all of the skills listed in § 383.113.” *Id.*

§ 383.135(b)(1). States must “record and retain” applicants’ scores. *Id.* § 383.135(c).

21. Licensed commercial drivers must also be able to “read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.” *Id.* § 391.11(b)(2). In 2025, the President issued an Executive Order instructing the Secretary of Transportation to rescind a 2016 guidance document that directed the Federal Motor Carrier Safety Administration to cite drivers for violations of section 391.11(b)(2) but not place them “out-of-service.” Exec. Order No. 14286 § 3a; *Internal Agency Enforcement Policy*, Federal Motor Carrier Safety Administration, MC-SEE-2025-0001 at 2 (May 20, 2025) (explaining the prior guidance document). Violations of the “English language proficiency requirement” now result in the driver being placed out-of-service. Exec. Order No. 14286 § 3(b); *Internal Agency Enforcement Policy* at 5.

22. Certain convictions result in disqualification from holding a CDL, such as “[c]ausing a fatality through the negligent operation” of a commercial motor vehicle. 49 C.F.R. §§ 384.215(a), 383.51(b) (Table 1). And if a CDL holder is convicted of violating a state or local law relating to motor vehicle traffic control, but his license was not issued by the State where he was convicted, the licensing entity of the State where the violation occurred must notify the licensing entity of the State that licensed the driver. *Id.* § 384.209(a)(1).

3. States face serious punishment for non-compliance.

23. A State must be in substantial compliance with the Act and its regulations “by means of the demonstrable combined effect of its statutes, regulations, administrative procedures and practices, organizational structures, internal control mechanisms, resource assignments (facilities, equipment, and personnel), and enforcement practices.” *Id.* § 384.301(a). It must review and certify its substantial compliance annually. *Id.* § 384.305. And a State’s CDL program is subject to review by the Federal Motor Carrier Safety Administration. *Id.* § 384.307(a).

B. California and Washington ignore these obligations by passing “sanctuary” laws prohibiting state agencies from inquiring into immigration status.

1. California’s Commercial Licensing Scheme and Failures

24. California now actively opposes these requirements. Yet that was not always the case. For many years, California required all driver’s license applicants to provide their social security number. 2013 Cal. Legis. Serv. Ch. 524 § 10 (A.B. 60) (amending Cal. Veh. Code § 12801). In 2013, California began granting regular driver’s licenses to individuals who are “unable to provide satisfactory proof that [their] presence in the United States is authorized under federal law.” *Id.* However, applications for a commercial driver’s license still required a social security number.

Id.; Cal. Veh. Code § 12801(c)(2). Regulations promulgated thereafter forbade the issuance of a Commercial Learner’s Permit or CDL “to any person unless the person presents . . . proof of his or her legal presence in the U.S.” 13 Cal. Code Regs. § 26.01.

25. California has since rejected those federal standards. In 2017, it adopted the California Values Act, whose sponsor admitted that the law was aimed at “put[ting] a kink—a large kink—in [President] Trump’s” efforts to enforce federal immigration law.”⁴ Governor Jerry Brown agreed that the legislation was designed to give “comfort” to illegal aliens living in California.⁵

26. In furtherance of these goals, the Act *prohibits* California law enforcement agencies from “[i]nquiring into an individual’s immigration status.” Cal. Gov. Code § 7284.6(a)(1)(A). This includes the Department of Motor Vehicles, which issues CDLs for the State. *See id.* § 7284.4(a); Cal. Veh. Code §§ 1501, 1653.

27. The Department of Motor Vehicles’ investigators, “including rank-and-file, supervisory, and management personnel,” are vested with “the powers of peace officers for the purpose of enforcing those provisions of law committed to the administration of the department.” Cal. Veh. Code § 1655(a). The California Commission on Peace Officer Standards and Training lists the Department of Motor Vehicles as a certified

⁴ Ben Adler, *California Governor Signs ‘Sanctuary State’ Bill*, NPR (Oct. 5, 2017), <https://www.npr.org/sections/thetwo-way/2017/10/05/555920658/california-governor-signs-sanctuary-state-bill>.

⁵ *Id.*

“California law enforcement agency.”⁶ The Values Act therefore prohibits the Department of Motor Vehicles from inquiring into the immigration status of CDL applicants.

28. Adding to that, California has openly and repeatedly announced that it will not enforce the English-competency requirements of federal law. It admits that it “has not implemented any enforcement changes in response to recent federal guidance requiring commercial drivers to speak English, as it is not part of California law.”⁷

29. California’s actions confirm its defiance of federal law: From June 25, 2025, through August 21, 2025, California had roughly 34,000 inspections that ended with at least one reported violation, and yet only one of those was an English-language proficiency violation that resulted in removing a driver from the road.⁸ Worse, California inspected at least 23 drivers

⁶ *California Law Enforcement Agencies*, State of California Commission on Peace Officer Standards and Training, <https://post.ca.gov/le-agencies>.

⁷ Alex Lockie, *Enforcing Trump’s English language mandate ‘not part of California law’: CHP*, Overdrive (Aug. 3, 2025), <https://www.overdriveonline.com/regulations/article/15751741/california-highway-patrol-not-enforcing-trumps-el-p-mandate-for-truck-drivers>; see also *Trump’s Transportation Secretary Sean P. Duffy to California, Washington, and New Mexico: Enforce English Language Requirements or Lose Federal Funding*, U.S. Dep’t of Transp. (Aug. 26, 2025), <https://www.transportation.gov/briefing-room/trumps-transportation-secretary-sean-p-duffy-california-washington-and-new-mexico>.

⁸ *Id.*

with documented English-language proficiency violations from other States and yet failed to enforce these violations and allowed each drive to stay on the road. *Id.*

2. Washington’s Commercial Licensing Scheme and Failures

30. Washington has perpetrated similar failures. Under a 2017 amendment to Washington’s Uniform Commercial Driver’s License Act, an individual domiciled in a foreign country is eligible for a non-domiciled DCL if he or she meets the requirements in section 383.71(f) of title 49, Code of Federal Regulations. *See* Wash. Rev. Code § 46.25.054.

31. Two years later, however, Washington enacted the Keep Washington Working Act.⁹ The Act prohibits state and local law enforcement agencies from “[i]nquir[ing] into or collect[ing] information about an individual’s immigration or citizenship status, or place of birth unless there is a connection between such information and an investigation into a violation of state or local criminal law.” Wash. Rev. Code § 10.93.160(4)(a).

32. Washington’s Department of Licensing, which administers CDL licenses, Wash. Rev. Code § 46.01.030(1), operates as a state law enforcement

⁹ *Keep Washington Working Act FAQ for Law Enforcement*, Washington State Office of the Attorney General (last visited Sept. 10, 2025), <https://www.atg.wa.gov/keep-washington-working-act-faq-law-enforcement>.

agency. Wash. Rev. Code §§ 10.93.160(1), 43.17.420(16), 10.93.020(3).¹⁰

33. Thus, Department of Licensing officials refrain from inquiring into or collecting information about an individual’s immigration or citizenship status. Between January 2018 and August 2025, Washington issued CDLs to 685 individuals who failed to prove citizenship or lawful permanent residency.¹¹

34. Statistics also bear out Washington’s failure to enforce other federal standards, such as English proficiency. Washington conducted over 6,000 inspections in a three-month period in 2025, and yet only four of those inspections involved an English-language proficiency violation that placed a driver out of service.¹²

¹⁰ Washington law does not specify whether the Department of Licensing is a “general authority law enforcement agency” regulated by the Keep Washington Working Act, but the Department’s investigative and law enforcement functions, Wash. Rev. Code § 46.01.135(1), and its demonstrated practice of issuing CDLs to individuals who are not citizens or lawful permanent residents, *infra* note 11, are evidence that the Department operates as a general authority law enforcement agency regulated by the Act.

¹¹ Alex Lockie, *Washington admits mistake in issuing Harjinder Singh and 685 other non-citizens full-term CDLs*, Overdrive (Oct. 1, 2025), <https://www.overdriveonline.com/regulations/article/15768375/harjinder-singhs-a-full-term-cdl-from-washington-explained>. Now facing pressure from the fatal Harjinder Singh crash discussed below, the Department of Licensing admits many CDLs were issued unlawfully and has “instituted mandatory staff training.” Yet Florida is aware of no legislative or regulatory change to Washington’s sanctuary laws or licensing scheme.

¹² See U.S. Dep’t of Transp., *Enforce English Language Requirements*, *supra* note 7.

In fact, Washington had found language competency violations and yet *not* placed those drivers out-of-service, in clear violation of federal law.¹³

C. California’s and Washington’s failures severely harm Florida and other law-abiding States.

35. So-called “sanctuary laws” have disastrous but foreseeable consequences for the jurisdictions that enact them. They sap social services, burden healthcare programs, monopolize public housing, and strain education systems.¹⁴ Even worse, sanctuary laws result in dangerous criminals being released into the very communities they claim to protect.

36. California and Washington are no exception. Take José Inez García Zárate, an illegal alien and career criminal who in 2015 was released from the San Francisco County Jail despite an outstanding ICE detainer.¹⁵ Less than three months later, he shot and

¹³ *Id.*

¹⁴ See Jesse Bedayn, *Democratic-led cities pay for migrants’ tickets to other places as resources dwindle*, Associated Press (updated Nov. 19, 2023), <https://apnews.com/article/denver-migrants-bus-tickets-border-plane-charters-c4584cc4f6eb848aaa939ac962582922>; Steven A. Camarota, *The Cost of Illegal Immigration to Taxpayers*, Center for Immigration Studies (Jan. 11, 2024), <https://cis.org/Testimony/Cost-Illegal-Immigration-Taxpayers>; Erin Dwinell, *Sanctuary Cities, Border Crisis Costs, and a Rude Awakening for the Left*, Heritage Foundation (Sept. 9, 2022), <https://www.heritage.org/border-security/commentary/sanctuary-cities-border-crisis-costs-and-rude-awakening-the-left>.

¹⁵ Richard Gonzales, *Jury Finds Undocumented Immigrant Not Guilty of Murder in Kate Steinle Shooting*, NPR (Nov. 30, 2017), <https://www.npr.org/sections/thetwo->

killed 32-year-old Kate Steinle as she was walking along a pier with her father and a friend.¹⁶

37. Just three months ago, an illegal alien was convicted of murdering Virgil Stebbins, a Tacoma car dealer who was nearing retirement. Jerry España Davila had been removed from the country four times before settling in Washington.¹⁷ The State charged him with driving under the influence in 2020 and assault in 2021, but pursuant to the Keep Washington Working Act, did not alert ICE.¹⁸ In February 2024, Davila entered Stebbins' sales lot and asked for a ride. When Stebbins declined, Davila shot him in the head and drove off in his car.¹⁹

38. But the disastrous effects of sanctuary laws are not confined to sanctuary States. While sanctuary laws are “magnets” for illegal aliens,²⁰ sanctuary jurisdictions often end up sending them elsewhere. For

way/2017/11/30/567625700/jury-in-san-francisco-finds-accused-killer-of-kate-steinle-not-guilty-of-murder.

¹⁶ *Id.*

¹⁷ Jason Rantz, *He was deported four times. Washington State policy still let him murder a man in Pierce County*, Seattle Red 770 AM (Sept. 15, 2025), <https://seattlred.com/immigration/illegal-immigrant-tacoma-murder/4114218>.

¹⁸ *Id.*

¹⁹ Peter Talbot, *He asked Tacoma car lot owner for a ride, then shot him dead. Here's the verdict*, The News Tribune (Aug. 5, 2025), <https://www.thenewstribune.com/news/local/crime/article311586763.html>.

²⁰ See *Sanctuary Jurisdictions: Magnet for Migrants, Cover for Criminals: Hearing before the Subcommittee on Immigration Integrity, Security, and Enforcement of the House Judiciary Committee*, 119th Cong. (2025), <https://www.congress.gov/event/119th-congress/house-event/118126/text>.

instance, to address the immigration crisis created by its sanctuary law, New York City has opened a “reticketing center” offering illegal aliens one-way bus or plane tickets.²¹ Florida is one of the top five destinations for the thousands of illegal aliens that have been relocated.²² Sanctuary cities like Denver²³ and El Paso²⁴ have launched similar efforts to bus illegal aliens to other States.

39. More often, crime and deteriorating economic conditions are the only incentives illegal aliens need to leave sanctuary jurisdictions. Despite an unprecedented influx of illegal immigration during the Biden-Harris administration, California’s illegal alien population *shrank* from 2019 to 2022,²⁵ as both illegal aliens and legal residents fled to other States.²⁶

²¹ Adam Shaw & Brooke Taylor, *Sanctuary city sending thousands of migrants back to Texas by plane, bus*, Fox News (Oct. 28, 2024), <https://www.foxnews.com/politics/sanctuary-city-sending-thousands-migrants-back-texas-plane-bus>.

²² *Id.*

²³ Bedayn, *supra* note 14.

²⁴ Cindy Ramirez, *More than 13,000 migrants bused out of El Paso in past three months*, El Paso Matters (Dec. 11, 2023), <https://elpasomatters.org/2023/12/11/migrant-busing-el-paso-texas-sb4-immigration-law-update/>.

²⁵ Jeffrey S. Passel & Jens Manuel Krogstad, *What we know about unauthorized immigrants living in the U.S.*, Pew Research Center (July 22, 2024), <https://www.pewresearch.org/short-reads/2024/07/22/what-we-know-about-unauthorized-immigrants-living-in-the-us/>.

²⁶ Since April 1, 2020, Florida is first in net domestic migration; California ranks dead last. United States Census Bureau, *State Population Totals and Components of Change: 2020-2024* (Dec. 2024), <https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-total.html>.

40. Despite Florida's efforts to combat illegal immigration, it was far and away the top destination for illegal aliens fleeing sanctuary jurisdictions.²⁷ Pew Research Center estimates that Florida's population of illegal aliens increased by 400,000 from 2019 to 2022.²⁸

41. This unwelcome surge of illegal immigration poses staggering costs for Florida. One analysis from 2022 estimates that illegal aliens cost Florida \$2 billion each year through Medicaid and public education alone.²⁹ Florida's law enforcement agencies spend many millions more to investigate, prosecute, and detain illegal aliens.³⁰

42. Sanctuary States not only financially burden the citizens of sister States—they put their lives at risk.

43. A recent example is Alejandro Jose Coronel Zarate, an illegal alien from Venezuela who was con-

²⁷ Passel & Krogstad, *supra* note 25.

²⁸ *Id.*

²⁹ Jason Richwine, *States Must Pay Health and Education Benefits to Illegal Immigrant Families: The example of Florida*, Center for Immigration Studies (Jan. 11, 2022), <https://cis.org/Richwine/States-Must-Pay-Health-and-Education-Benefits-Illegal-Immigrant-Families>.

³⁰ See David Simcox & John L. Martin, *The Costs of Immigration: Assessing a Conflicted Issue*, Center for Immigration Studies (Sept. 1, 1994), <https://cis.org/Report/Costs-Immigration> (citing Executive Office of the Governor & Florida Advisory Council on Intergovernmental Relations, *The Unfair Burden: Immigration's Impact on Florida* (Mar. 1994)).

victed in Wisconsin, a non-sanctuary State, for strangling a woman and abusing her minor daughter.³¹ Zarate had been arrested in Minneapolis just a few months before committing the assaults in Wisconsin.³² But pursuant to the city's sanctuary laws, the Minneapolis Police Department released Zarate without notifying ICE.³³

44. In Louisiana, illegal alien Miguel Martinez faces charges for sexual battery and production of child pornography.³⁴ Martinez was a registered sex offender in California but was never turned over to ICE, ostensibly due to the State's sanctuary laws.³⁵ He later moved to Louisiana and began working with conspirators to produce pornography involving juveniles under the age of 13.³⁶

³¹ *Venezuelan man sentenced to 2 years in prison for child abuse and strangulation in Prairie du Chien case*, WKBT News 8 Now (Aug. 13, 2025), https://www.news8000.com/news/crime/venezuelan-man-sentenced-to-2-years-in-prison-for-child-abuse-and-strangulation-in-prairie/article_e1a94121-72ba-453a-9fda-8fb2186fbb18.html.

³² Christina Coulter, *Families in swing state afraid to let kids play outside after Venezuelan migrant attacks mom, child: lawmaker*, Fox News (Sept. 23, 2024), <https://www.foxnews.com/us/families-swing-state-afraid-let-kids-play-outside-after-venezuelan-migrant-attacks-mom-child-lawmaker>.

³³ *Id.*

³⁴ Daniel Horowitz, *Previously deported illegal alien arrested on 100 counts of child porn in Louisiana*, Blaze media (Apr. 3, 2019), <https://www.theblaze.com/columns/opinion/deported-illegal-alien-arrested-on-child-porn-charges>.

³⁵ *Id.*

³⁶ *Id.*

45. The murder of Laken Riley in Athens, Georgia was also at the hands of an illegal alien released under sanctuary laws. On the morning of February 22, 2024, illegal alien Jose Ibarra struck Ms. Riley in the head with a rock while she was jogging near her nursing school, intending to rape her.³⁷ After a struggle, Ibarra choked Ms. Riley to death and dragged her body into the forest.³⁸ According to ICE, Ibarra had been arrested by the New York Police Department in 2023 but was released “before a detainer could be issued” due to the city’s sanctuary policy.³⁹

46. Sanctuary jurisdictions also “give cover” to cartels like Tren de Aragua, providing a base of operations to traffic deadly drugs throughout the United States.⁴⁰ In 2023 alone, following a surge of sanctuary-fueled illegal immigration, over 6,000 Floridians lost their lives to fentanyl and its analogues.⁴¹

³⁷ Nicole Chavez, *Laken Riley’s killer sentenced to life in prison after heart-wrenching pleas from her family*, CNN (updated Nov. 20, 2024), <https://www.cnn.com/2024/11/20/us/jose-ibarra-laken-riley-murder-trial>.

³⁸ *Id.*

³⁹ Rebekah Riess et al., *Laken Riley: Data from smart watch will show encounter with man, prosecutors say*, ABC7 Chicago (Nov. 15, 2024), <https://abc7news.com/post/laken-riley-data-smart-watch-will-show-encounter-man-accused-murdering-was-long-fierce-prosecutors-say/15548199/>.

⁴⁰ *ICE Lodges Detainer for Venezuelan Tren de Aragua Affiliate Gang Member Charged in Killing of Woman in Sanctuary State of Colorado*, U.S. Dep’t of Homeland Sec. (Aug. 7, 2025), <https://www.dhs.gov/news/2025/08/07/ice-lodges-detainer-venezuelan-tren-de-aragua-affiliate-gang-member-charged-killing>.

⁴¹ Medical Examiners Commission, *Drugs Identified in Deceased Persons by Florida Medical Examiners, 2023 Annual Report*, Florida Department of Law Enforcement (Nov. 2024),

47. These are not the only ways in which sanctuary laws jeopardize the health and safety of Floridians. Just weeks ago, an illegal alien driving a commercial vehicle made an illegal U-turn across a busy, multi-lane highway. He was attempting to use an official access point that was marked with a red “no U-turn” sign and a message that warned “OFFICIAL USE ONLY.”⁴² The erratic turn created a sudden barricade across the roadway. A minivan then collided with the truck trailer. The minivan’s driver and two passengers were killed.⁴³

48. All of this was preventable. In fact, all of this was already illegal. State and federal investigations quickly revealed that the illegal immigrant does not speak English. He was able to answer only two of twelve questions correctly on an English proficiency test and identify only one of four traffic signs.⁴⁴ Under

<https://www.myfloridalegal.com/sites/default/files/2025-01/2023-drugs-in-deceased-annual-report.pdf>.

⁴² Briana Trujillo, *Truck Driver Arrested After 3 from South Florida Killed in U-turn Crash on Turnpike*, NBC 6 South Florida (updated Aug. 18, 2025), <https://www.nbcmiami.com/news/local/truck-driver-undocumented-arrested-crash-south-florida-killed-turnpike/3678747/>.

⁴³ *Criminal Illegal Alien Recklessly Driving an 18-Wheeler Kills Three in Florida*, U.S. Dep’t of Homeland Sec. (Aug. 18, 2025), <https://www.dhs.gov/news/2025/08/18/criminal-illegal-alien-recklessly-driving-18-wheeler-kills-three-florida>.

⁴⁴ *Trump’s Transportation Secretary Announces Investigation into Deadly Florida Truck Crash, Shares Preliminary Findings*, U.S. Dep’t of Transp., (Aug. 19, 2025), <https://www.transportation.gov/briefing-room/trumps-transportation-secretary-announces-investigation-deadly-florida-truck-crash>.

current federal law, this driver should have never received a license from any State to operate a commercial motor vehicle. *See supra* at ¶¶ 11–21.

49. But California and Washington nevertheless licensed him. Washington improperly issued this illegal immigrant a CDL in 2023, after 13 failed examinations. California issued him a non-domiciled CDL the following year.⁴⁵

50. Since this tragedy, Florida has been forced to respond to California’s and Washington’s intransigence by increasing inspections at state entry points, adding to the workload of both state police and agricultural law enforcement officers.⁴⁶

⁴⁵ *Id.* The facts surrounding California’s issuance of the non-domiciled CDL here are unclear. It is unknown whether the applicant applied for a standard CDL and the Department of Motor Vehicles requested proof of citizenship or lawful permanent residency (in violation of the State’s sanctuary law), or whether the applicant applied for a non-domiciled CDL. It is also unknown whether the Department of Motor Vehicles required the applicant to produce the documentation required for a non-domiciled CDL. What is certain is that California ultimately issued a non-domiciled CDL to an unqualified driver in violation of federal law.

⁴⁶ *Attorney General James Uthmeier Requests US DOT to Revoke CDL Programs & Funding from California and Washington; Supports Agricultural and State Law Enforcement Inspection Stations to Combat Illegal Aliens Entering Florida*, Office of Attorney General James Uthmeier (Aug. 25, 2025), <https://www.myfloridalegal.com/newsrelease/attorney-general-james-uthmeier-requests-us-dot-revoke-cdl-programs-funding-california>.

51. The increased economic costs to Plaintiff's law enforcement includes expenses associated with manning interdiction stations, impoundment of vehicles, and inspections to ensure that drivers with a CDL from other States actually meet federal CDL standards. Without the proven negligence of California and Washington, these additional inspections would be unnecessary.

52. Accordingly, Plaintiff has suffered direct and significant harm arising from negligent CDL licensure of ineligible individuals from California and Washington in violation of federal standards.

53. California and Washington have not displayed a willingness to meaningfully remedy the present situation and prevent future harms to Plaintiff. Unless addressed by this Court, California and Washington will likely continue to issue CDLs to unqualified illegal aliens in violation of federal standards.

**FLORIDA'S CLAIMS AGAINST
CALIFORNIA AND WASHINGTON**

COUNT I

**DECLARATORY JUDGMENT &
INJUNCTIVE RELIEF**

PREEMPTION

54. Plaintiff realleges and incorporates, as though fully set forth, paragraphs 1 to 53 of this bill of complaint.

55. Article VI, Clause 2 of the United States Constitution states: "This Constitution, and the Laws of

the United States which shall be made in Pursuance thereof . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.” The Supremacy Clause yields the “fundamental principle” that Congress has the power to preempt state law. *Crosby v. Nat’l Foreign Trade Council*, 530 U.S. 363, 372 (2000) (citing *Gibbons v. Ogden*, 6 L.Ed. 23 (1824)).

56. Preemption can be express or implied. See *Pacific Gas & Elec. Co. v. State Energy Resources Conservation and Development Comm’n*, 461 U.S. 190, 203 (1983) (observing that Congress sometimes preempts state authority “by so stating in express terms”); *Kansas v. Garcia*, 589 U.S. 191, 203 (2020) (“But it has long been established that preemption may also occur by virtue of restrictions or rights that are inferred from statutory law.”).

57. As relevant here, state law is impliedly preempted “to the extent of any conflict with a federal statute.” *Crosby*, 530 U.S. at 372. Conflict preemption exists where “compliance with both federal and state regulations is a physical impossibility,” or where the state law “stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.” *Maryland v. Louisiana*, 451 U.S. 725, 747 (1981).

58. Express preemption applies here. The Commercial Motor Vehicle Safety Act establishes a process to determine whether a State’s regulation of commercial motor vehicle safety is preempted by federal law. A State that enacts a law or issues a regulation on

commercial motor vehicle safety “shall submit a copy of the law or regulation to the Secretary [of Transportation] immediately after the enactment or issuance.” 49 U.S.C. § 31141(b). The Secretary must determine whether the state regulation “(A) has the same effect as a regulation prescribed by the Secretary under section 31136; (B) is less stringent than such regulation; or (C) is additional to or more stringent than such regulation.” *Id.* § 31141(c)(1). “If the Secretary decides a State law or regulation is less stringent than a regulation prescribed by the Secretary under [49 U.S.C. section 31136], the State law or regulation may not be enforced.” *Id.* § 31141(c)(3). The Secretary’s determination is subject to judicial review. *Id.* § 31141(f). This remedy is “in addition to other remedies provided by law.” *Id.* § 31141(f)(4).

59. The prohibition in sections 383.71(a)(5), 383.71(b)(9), and 383.73(a)(6) of title 49, Code of Federal Regulations, against States issuing Commercial Learner’s Permits and CDLs to applicants who fail to provide “proof of citizenship or lawful permanent residency” was promulgated under the rulemaking authority granted to the Secretary of Transportation by 49 U.S.C. § 31136.

60. Federal law expresses a clear intent to preempt any “State law or regulation” that is “less stringent than a regulation prescribed by the Secretary under [49 U.S.C. § 31136].” 49 U.S.C. § 31141(c)(3).

61. The California Values Act and the Keep Washington Working Act (collectively, the “sanctuary laws”), by prohibiting the agencies administering

state CDL programs from inquiring into applicants' immigration status, establish a commercial motor vehicle safety standard that is "less stringent" than the "proof of citizenship or lawful permanent residency" requirement in 49 C.F.R. §§ 383.71(a)(5), (b)(9), 383.73(a)(6).

62. The sanctuary laws are thus expressly preempted to the extent they prohibit the agencies administering the California and Washington CDL programs from inquiring into applicants' immigration status.

63. Both tests for conflict preemption are also satisfied. First, a state agency may not simultaneously ignore immigration status (as required by the sanctuary laws) and confirm immigration status (as required by federal law). Thus, compliance with both federal and state regulations is an "impossibility." *Maryland*, 451 U.S. at 747.

64. Second, the Commercial Motor Vehicle Safety Act articulates a clear objective to give the Secretary of Transportation authority to establish "minimum safety standards" for commercial motor vehicle safety. 49 U.S.C. § 31136(a). The sanctuary laws, which direct state agencies to issue Commercial Learner's Permits and CDLs without regard to the safety standards established by the Secretary, stand as an obvious "obstacle" to this objective. *Maryland*, 451 U.S. at 747.

65. The sanctuary laws are therefore preempted, both expressly and impliedly, due to their conflict with federal law.

COUNT II
DECLARATORY JUDGMENT &
INJUNCTIVE RELIEF
PUBLIC NUISANCE

66. Plaintiff realleges and incorporates, as though fully set forth, paragraphs 1 to 53 of this bill of complaint.

67. California’s and Washington’s negligence and willful disregard of federal licensing standards pose an actionable public nuisance.

68. The jurisdiction of a court sitting in equity to enjoin a public nuisance is “of a very ancient date, and has been distinctly traced back to the reign of Queen Elizabeth.” *Mugler v. Kansas*, 123 U.S. 623, 672–73 (1887) (quoting 2 Story, Eq. Jur. §§ 921, 922). While common law public nuisance grew to encompass any “act or omission which obstructs or causes inconvenience or damage to the public in the exercise of rights common to all Her Majesty’s subjects,” *Tull v. United States*, 481 U.S. 412, 420 (1987) (quoting W. Prosser, *Law of Torts* 583 (4th ed. 1971)), its original use was upon an application to the high court of chancery, by the attorney general “as representing the public,” to, among other things, “prevent nuisances to public harbors and public roads.” *Coosaw Mining Co. v. South Carolina ex rel. Tillman*, 144 U.S. 550, 565 (1892) (quoting *Attorney General v. Forbes*, 2 Mylne & C. 123, 133 (1874)); see also *Hayes v. Michigan Cent. R. Co.*, 111 U.S. 228, 235 (1884) (observing public nuisance suits brought at common law against those “rendering

the way unsafe” on “a public highway”) (citing *In Barnes v. Ward*, 9 C. B. 392 (1852)).

69. American courts inherited jurisdiction to enjoin public nuisances. See *United Steelworkers of Am. v. United States*, 80 S. Ct. 177, 186 (1959) (Frankfurter, J., concurring) (“The judicial power to enjoin public nuisance at the instance of the Government has been a commonplace of jurisdiction in American judicial history.”). While public nuisance suits are an appropriate remedy for a wide range of action presenting “peril to health and safety,” *Tull*, 481 U.S. at 423, this Court has recognized “obstructing a highway or a navigable stream, or creating a condition which *makes travel unsafe* or highly disagreeable” as a classic example of public nuisance, *id.* at 421 n.5 (quoting W. Prosser, *Law of Torts* 583–85 (4th ed. 1971)) (emphasis added).

70. This Court has long exercised this equitable power to resolve suits between States alleging public nuisance. See *Vermont v. New York*, 417 U.S. 270, 270 (1974); *New Jersey v. City of New York*, 283 U.S. 473, 476 (1931); *New York v. New Jersey*, 256 U.S. 296, 298 (1921); *Missouri v. Illinois*, 180 U.S. 208, 244 (1901). Indeed, this remedy was part of the bargain struck by the States through the Constitution: “When the States by their union made the forcible abatement of outside nuisances impossible to each, they did not thereby agree to submit to whatever might be done.” *Georgia v. Tenn. Copper Co.*, 206 U.S. 230, 237 (1907). States instead retain the right to make “reasonable demands on the ground of their still remaining quasi-sovereign interests.” *Id.* Nuisance violations can therefore justify “a suit in this court.” *Id.*

71. As explained above, California’s and Washington’s unlawful issuance of CDLs to aliens who do not speak English, cannot demonstrate minimum driving competence, or both, “creat[es] a condition which makes travel unsafe” on the public roads of every State—a textbook public nuisance. *Tull*, 481 U.S. at 421 n.5 (quoting W. Prosser, *Law of Torts* 583–85 (4th ed. 1971)).

PRAYER FOR RELIEF

72. Given California’s and Washington’s illegal, reckless, and immoral conduct, which has directly harmed Florida as a sovereign State, Florida prays that this Court:

- A. Issue a declaratory judgment that California’s and Washington’s sanctuary laws, to the extent that the laws prohibit agencies administering CDL programs from inquiring into or collecting information about an applicant’s immigration status, are preempted by 49 U.S.C. § 31141 and 49 C.F.R. §§ 383.71(a)(5), (b)(9), and 383.73(a)(6).
- B. Issue a declaratory judgment that California’s and Washington’s failure to enforce proper safety and immigration-status standards is a public nuisance.
- C. Issue preliminary and permanent injunctions ordering California and Washington and their agents to cease the issuance of Commercial Learner’s Permits and CDLs to applicants who

are not United States citizens or lawful permanent residents.

- D. Issue preliminary and permanent injunctions ordering California and Washington and their agents to cease the issuance of non-domiciled CDLs to applicants who do not meet the requirements of 49 C.F.R. § 383.71(f).
- E. Order that California and Washington pay Florida's costs and expenses associated with this legal action, including attorneys' fees.
- F. Grant such other relief as the Court deems just and proper.

Respectfully submitted,

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