**U.S. Immigration
and Customs
Enforcement**

Fact Sheet

Applying for a Driver's License or State Identification Card

Introduction

This Fact Sheet will help F, M or J nonimmigrants in obtaining a driver's license or a state identification (ID) card. Additionally, nonimmigrants should familiarize themselves with the regulations, policies and other applicable information of the state where they reside, as each state has different requirements.

What should the nonimmigrant do before applying?

Contact their designated school official (DSO) or responsible officer (RO). The DSO or RO will provide guidance and assist in familiarizing the nonimmigrant with the expectations of their Department of Motor Vehicles (DMV), as well as explain the general process to procuring a driver's license or ID.

What can DSOs and ROs do to help?

Make sure nonimmigrants wait 10 calendar days from arrival in the United States before applying for a driver's license or ID. A number of states use the Systematic Alien Verification for Entitlements (SAVE) program to determine nonimmigrant eligibility for many public benefits, including the issuance of a driver's license. Current arrival information is essential to this verification, and it takes time for information to be distributed from the port of entry information systems to SAVE.

Most states require nonimmigrants to have a Social Security number (SSN) or Social Security Administration (SSA) letter of ineligibility prior to applying. See *Does a nonimmigrant need an SSN to apply for a driver's license or ID?* below. Check your state requirements and, if necessary, ensure the nonimmigrant receives the appropriate documentation prior to going to DMV.

Several states require that a nonimmigrant have at least 6 months left on the Form I-20 *Certificate of Eligibility for Nonimmigrant Student Status* or Form DS-2019 *Certificate of Eligibility for Exchange Visitor* to be eligible for a driver's license. Consult with the DMV of your state or its Web site to see if this is a requirement.

Be sure the nonimmigrant's information is entered correctly in SEVIS, including nonimmigrant status, name and date of birth (DOB), before sending the nonimmigrant to the local DMV office.

The nonimmigrant's name must match on all supporting documentation. [See *What Documentation Does a Nonimmigrant Present to the Local DMV?* below, for requirements] The DMV will deny any nonimmigrant's application when the supporting documents are inconsistent or do not reflect the proper name, DOB and nonimmigrant status. Review all supporting documents before the nonimmigrant applies.

The nonimmigrants SEVIS information must be *Active* before applying.

Applying for a driver's license or ID

Any F, M or J nonimmigrant may apply for a driver's license or ID as long as he or she is in lawful status and presents the necessary supporting documents required to verify legal presence in the United States. For additional information specifically about accompanying spouses and dependents, see *Accompanying spouse and dependents requirements*, below.

What is the Web site address of my state DMV?

Alabama	http://www.dps.state.al.us/
Alaska	http://www.state.ak.us/local/akpages/ADMIN/dmv/
Arizona	http://www.azdot.gov/mvd/index.asp
Arkansas	http://www.arkansas.gov/dfa/driver_services/ds_license.html
California	http://www.dmv.ca.gov/
Colorado	http://www.revenue.state.co.us/mv_dir/home.asp
Connecticut	http://www.ct.gov/dmv/site/default.asp
Delaware	http://www.dmv.de.gov/
Florida	http://www.flhsmv.gov/
Georgia	http://www.dds.ga.gov/
Guam	https://www.guamtax.com/about/mvd.html
Hawaii	http://www.co.honolulu.hi.us/csd/
Idaho	http://itd.idaho.gov/dmv/driverservices/ds.htm
Illinois	http://www.sos.state.il.us/services/services_motorists.html
Indiana	http://www.in.gov/bmv/
Iowa	http://www.dot.state.ia.us/mvd/index.htm
Kansas	http://www.ksrevenue.org/vehicle.htm
Kentucky	http://www.ksrevenue.org/dmvdrlic.htm
Louisiana	http://www.kytc.ky.gov/drlic/
Maine	http://www.maine.gov/sos/bmv/licenses/getlicense.html
Maryland	http://www.mva.state.md.us/
Massachusetts	http://www.mass.gov/rmv/
Michigan	http://www.michigan.gov/sos/0,1607,7-127-1627---,00.html
Minnesota	http://www.dps.state.mn.us/dvs/index.html
Mississippi	http://www.dps.state.ms.us/dps/dps.nsf/divpages/hp2dlinfo?OpenDocument
Missouri	http://dor.mo.gov/mvdl/
Montana	http://doj.mt.gov/driving/default.asp
Nebraska	http://www.dmv.state.ne.us/
Nevada	http://www.dmvnv.com/nvdl.htm
New Hampshire	http://www.nh.gov/safety/divisions/dmv/
New Jersey	http://www.state.nj.us/mvc/
New Mexico	http://www.idnm.us/idnm/index.html
New York	http://www.nydmv.state.ny.us/
North Carolina	http://www.ncdot.org/DMV/
North Dakota	http://www.dot.nd.gov/
Ohio	http://www.bmv.ohio.gov/
Oklahoma	http://www.dps.state.ok.us/dls/
Oregon	http://www.oregon.gov/ODOT/DMV/
Pennsylvania	http://www.dmv.state.pa.us/centers/licenseIDCenter.shtml
Rhode Island	http://www.dmv.state.ri.us/
South Carolina	http://www.scdmvonline.com/DMVNew/default.aspx
South Dakota	http://www.state.sd.us/dps/dl/
Tennessee	http://www.state.tn.us/safety/
Texas	http://www.txdps.state.tx.us/administration/driver_licensing_control/dlindex.htm
Utah	http://publicsafety.utah.gov/dld/
Vermont	http://www.aot.state.vt.us/dmv/dmvhp.htm
Virginia	http://www.dmv.state.va.us/
Washington	http://www.dol.wa.gov/
Washington, DC	http://dmv.dc.gov/main.shtm

Applying for a driver's license or ID

West Virginia	http://www.wvdot.com/6_MOTORISTS/DMV/6g1_licenses.htm
Wisconsin	http://www.dot.state.wi.us/drivers/index.htm
Wyoming	http://www.dot.state.wy.us/

What documentation must a nonimmigrant present to the DMV?

Refer to the DMV Web site or contact a local DMV office if you have questions about required documentation. In general, the nonimmigrant should present:

- Passport
- Form I-94
- Form I-20
- Form I-766 *Employment Authorization Document (EAD)*, if applicable
- Form I-797 *Notice of Approval,* if applicable
- Social Security number (SSN) or Social Security Administration (SSA) letter of ineligibility. Please see the Social Security Administration Web site at http://www.ssa.gov/pubs/10096.html for more information.

Does a nonimmigrant need an SSN to apply for a driver's license or ID?

No. A nonimmigrant does not need an SSN; however, the nonimmigrant will need to apply for a social security number. Follow the instructions on how to apply for a social security card as described on the SSA Web site at http://www.ssa.gov/pubs/10096.html#3. If the nonimmigrant is ineligible for an SSN, he or she will receive a decision letter stating that ineligibility. The nonimmigrant must present this SSA letter when applying at the DMV office to fulfill the SSA requirement.

What should a nonimmigrant do if there is an error on the passport?

The nonimmigrant should consult his or her embassy to find out how to correct, update or renew the passport. Most embassies have a Web site with information for its citizens.

What should a nonimmigrant do if his or her name on the passport does not match the name on the Form I-20 or Form DS-2019?

The nonimmigrant should consult with the DSO to correct the Form I-20 or with the RO to change the Form DS-2019 to reflect the name on the passport prior to applying at DMV.

- When a DSO creates the Form I-20 or an RO creates the Form DS-2019, he or she should enter the name in SEVIS exactly as it appears on the nonimmigrant's passport or national identification card. If no passport is available use the name contained on the national identification card.

- If the nonimmigrant has only one name, it must be used as the last name. Use the letters **FNU** (**F**irst **N**ame **U**nknown) in the First Name filed. Nonimmigrants with one name should be aware that some government officials are not familiar with the FNU acronym and may look for the nonimmigrant to show that his or her first name is FNU. The nonimmigrant should be able to explain the acronym if it is causing validation problems with any government process.

- **Spacing** is as important as spelling and must be consistent. For instance, systems will not read Mc Millan and McMillan as the same name.

- **Hyphens** must NOT be used.

- Consistency with **capitalization** is helpful, but not critical.

- Name entries must be in English and **must use standard United States characters**. Letters like ñ, é, ü, ç are not recognized by U.S. data systems. Enter names like Muñoz and Sémonin as Munoz and Semonin. Do not change spellings to reflect sounds of the language of origin.

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- F/M/J nonimmigrants must be consistent in how they enter last, first, and middle names. For example: some Hispanic nonimmigrants use their mother's maiden name as part of their name. Sometimes it is given as a middle name and other times as part of a hyphenated last name. Either usage is acceptable. However, one version must be used consistently and no hyphen must be used when two last names are used.

If a nonimmigrant has a number of records where the spelling of the name is inconsistent, government officials are likely to interpret the errors as a deliberate attempt at misrepresentation.

What should a nonimmigrant do if a DMV office denies the nonimmigrant a driver's license because of a discrepancy on the Form I-94?

U.S. Customs and Border Protection (CBP) reviews requests for corrections and, if appropriate, issues the necessary documents to remedy errors made on the Form I-94 at the time of entry into the United States relating to:

- Improper nonimmigrant classification

- Inaccurate biographical information

- Incorrect period of admission

Any designated deferred inspection location or CBP office located within an international airport can assist, regardless of where the actual document was issued. See the CBP Web site at http://www.cbp.gov/xp/cgov/travel/id_visa/i-94_instructions/ for more detailed information. In particular, review the *Frequently Asked Questions (FAQs) on the Arrival-Departure Record (I-94 Form) & Crewman Landing Permit (I-95 Form)* document.

What should a nonimmigrant do if a DMV office denies issuing a driver's license because the nonimmigrant's Form I-20 is not stamped?

A transfer nonimmigrant or a change-of-status nonimmigrant will not have a stamped Form I-20. Nonimmigrants should have their most recently stamped Form I-20 available, as well as their transfer documentation, to prove status while in the United States.

Can a nonimmigrant apply for a driver's license if the nonimmigrant's Form I-20 is expired?

Yes, but the nonimmigrant should consult with the local DMV office and DSO/RO before applying for a driver's license. The DMV requires nonimmigrants to present supporting documentation, such as an EAD card, validating the duration of stay in the country. All documents should reflect the nonimmigrant's program start date and end date in the United States or practical training period.

What documents should a student on the Cap-Gap extension present to verify legal presence?

After a student receives an approval notice from U.S. Citizenship and Immigration Services (USCIS), the student should inform the DSO immediately. The DSO will print a new Form I-20 and on page 3 of the Form I-20, in the Comments section, new language will appear stating,

> "F-1 status and employment authorization for this student have been automatically extended to September 30, 2009[1]. The student is authorized to remain in the United States and continue employment with an expired employment authorization document. This is pursuant to 8 CFR 214.2(f)(5)(iv) and 8 CFR 274a.12(b)(6)(iv), as updated April 8, 2008 in a rule published in the Federal Register (73 FR 18944). Additional information about the automatic extension can be found on the Student and Exchange Visitor Program Web site at www.ice.gov/sevis."

The local DMV will use the information on page 3 to validate the student's duration of status through September 30.

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[1] This date will be amended for the following year at the beginning of each fiscal year (i.e., October 1).

When the student receives approval for an H1-B visa, he or she should return to the DMV to present the I-797, *Notice of Approval,* and request that the DMV extend the driver's license expiration date for a period of one year. The student must return to the DMV every year to extend his or her the license expiration for the period of stay in the United States, unless otherwise stated by the local DMV office.

Accompanying spouse and dependents requirements.

The accompanying spouse and dependents applying for a driver's license or state ID should present supporting documentation from the primary visa holder, such as practical training period or cap-gap period to reflect the duration of status, as well as their own. The DMV will look for consistency between the spouse/dependent duration of status and that of the primary visa holder. It is advisable (and, in some states, required) that the primary visa holder accompany his or her spouse/dependents applying for a driver's license and present supporting documentation to validate the duration of status and practical training period. The DSO should ensure that the primary visa holder's documents, as well as those of the spouse and/or dependent, reflect the appropriate duration of status, including practical training or cap-gap extension.

Consult with the applicable DMV for requirements related to primary visa holder accompaniment.

Contact Information

Should a nonimmigrant, DSO or RO have further questions, please contact the Student and Exchange Visitor Program (SEVP) at sevis.source@dhs.gov and/or the USCIS Verification Program at save.help@dhs.gov. For questions about a specific state's motor vehicle policy, please contact that state.

Information requirements for problem resolution

If a nonimmigrant applies for a driver's license or ID and the issuing DMV is unable to issue it, the DSO or RO should e-mail SEVP for assistance. In the e-mail's subject line write: DMV Issue – (Name of the state). Also provide the following information[2]:

1. Applicant's name
2. Nonimmigrant's I-94 admission number (11 digits) or alien registration number (9 digits)
3. SEVIS number
4. Date of birth
5. Address of the DMV office where the person experienced the problem, and a receipt number (if available)
6. Date the applicant visited the DMV office
7. Contact address and phone number or e-mail address for the applicant (in case the DMV office needs to contact the person)
8. Explanation of the problem

Once SEVP receives the email, a representative will review the case and enter the student's SEVIS ID number into SEVIS. Based on the information in SEVIS, the representative may contact the DSO directly and explain why the student cannot receive a driver's license or state identification card. In all other cases, the SEVP representative will send an email to a DMV state representative and request them to review the case. The representative reviews the case within one or two business days. SEVP notifies the DSO or RO immediately when case is resolved.

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[2] For problem resolution of accompanying spouse/dependent applications, include information of the primary visa holder.

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