



Applying for a Driver's License or State Identification Card

This fact sheet provides information to designated school officials (DSOs) and responsible officers (ROs) in order to help F, M or J nonimmigrants (primary and dependent status holders) obtain a benefit such as a driver's license or state identification (ID) card. In addition to the information provided here, DSOs, ROs and nonimmigrants should familiarize themselves with the regulations, policies and other applicable information of the state or territory of residence, as each may have different requirements.

FACT SHEET OVERVIEW

- **General Questions** – This section provides an overview of the general driver's license and ID processes, tips, things to know and special cases.
- **Known Issues** – This section discusses known problems without a current resolution, the status of fixes and other relevant information.
- **Contact Information** – This section provides contact information for SEVP, information on how to request help for difficult issues and individual state websites.

GENERAL QUESTIONS

What should a nonimmigrant do before applying for a driver's license or ID?

A nonimmigrant should contact the DSO or RO. The DSO or RO will provide guidance, assist in familiarizing the nonimmigrant with the expectations of the department of motor vehicles (DMV)¹ for that state or territory, and explain the general process for obtaining a driver's license or ID.

When can a nonimmigrant apply for a driver's license or ID?

Please be aware of the following timing requirements before applying for a driver's license or ID:

¹ SEVP uses DMV in this fact sheet as a generic term. Not every state uses this designation.

- The Student and Exchange Visitor Information System (SEVIS) record must be in *Active* status when an F, M or J nonimmigrant applies for a benefit. A nonimmigrant with a record in any other status will not have success at applying for a benefit.
- Wait at least ten calendar days from the date of entry into the United States to apply for a driver's license or ID. Most states and territories use the Systematic Alien Verification for Entitlements (SAVE) Program to determine a non-citizen's eligibility for many public benefits, including the issuance of a driver's license. The SAVE Program uses an online system to check a benefit applicant's immigration status information against records contained in the DHS immigration databases, including those housed by U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and U.S. Immigration Customs Enforcement (ICE). Since the verification process is reliant on the underlying data source, including the F, M, or J nonimmigrant's arrival information, an applicant for a driver's license or ID must allow time for arrival data processing. Please note that the nonimmigrant must also have been in *Active* status for at least two business days in this case.
- Wait at least two business days from the activation date² in SEVIS to apply for a driver's license or ID.
- Several states require that a nonimmigrant have at least six months left on the Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," or Form DS-2019, "Certificate of Eligibility for Exchange Visitor (J-1) Status," to be eligible for a driver's license. Either consult with the state's or territory's DMV or visit its [website](#) to see if this is a requirement.

What can a DSO or RO do with a nonimmigrant's information to ensure a smooth application process?

- The nonimmigrant's name must match all supporting documents. See below, [What documentation must a nonimmigrant present to the DMV?](#)
- The nonimmigrant's status, name, and date of birth, must be correct in SEVIS, before sending the nonimmigrant to the local DMV office. The nonimmigrant must have an *Active* SEVIS record before applying.
- The supporting documents must be consistent and reflect the nonimmigrant's proper name, date of birth and nonimmigrant status. Otherwise, the DMV will deny the application. Review all supporting documents before the nonimmigrant applies.
- The nonimmigrant must be within the program start and end dates in SEVIS, unless participating in optional practical training (OPT) or 17-month STEM OPT extension.

² The date the DSO indicated that the nonimmigrant has reported to the institution by updating SEVIS information from *Initial* to *Active*.

Who is eligible for a driver's license or ID?

Any F, M or J nonimmigrant in lawful status may apply for a driver's license or ID card. The nonimmigrant must present necessary supporting documents required to verify legal presence in the United States. For additional information specifically about accompanying spouses and dependents, see below, [What are the requirements for an accompanying dependent?](#)

What is SAVE?

The SAVE Program is an intergovernmental initiative that aids benefit-granting agencies in determining an applicant's immigration status, helping to ensure that only entitled applicants receive federal, state or local public benefits and licenses, such as a driver's license or Social Security number (SSN).

What databases does SAVE use?

SAVE uses an online system to check a benefit applicant's immigration status information against records contained in the DHS immigration databases, including those housed by U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and U.S. Immigration Customs Enforcement (ICE).

How does SAVE use this information?

SAVE queries these databases with the information on the documents presented by the benefit applicants, including biographic information and numeric identifiers such as an alien number or Form I-94 number. SAVE uses the information from the documents to search millions of DHS records in order to verify an immigration status for the benefit-granting agency (e.g., SSA or DMV).

Does SAVE use this process with students and exchange visitors?

Yes, it does. In the case of F, M and J nonimmigrants, SAVE queries SEVIS and other databases to verify the applicant's immigration status in the United States. SAVE does not make a determination on whether an applicant is eligible for the underlying benefit; the granting agency makes that determination.

Please note that not all states and territories use SAVE to verify status. Please check with your [state or territory DMV](#) to find out if it uses SAVE.

For more information about the SAVE Program, please visit the [SAVE website](#).

What documentation must an F, M or J nonimmigrant present to the DMV?

For specific requirements for your state, please refer to the DMV website or contact a local DMV office. In general, the nonimmigrant should present the following:

- Valid passport with visa (if applicable)

- Form I-94, “Arrival/Departure Record”
- Form I-20 (for an F or M nonimmigrant) or Form DS-2019 (for a J nonimmigrant)
- Form I-766 “Employment Authorization Document” (EAD), if applicable
- Form I-797 or Form I-797A “Notice of Action,” in cases of a change of status (e.g., H-1B)
- SSN or a Social Security Administration (SSA) [Form SSA-L676, “Refusal to Process SSN Application.”](#) Please visit this [SSA website](#) for more information.

Does an F, M or J nonimmigrant need an SSN to apply for a driver’s license or ID?

No, a nonimmigrant does not need an SSN. In most states, however, the nonimmigrant will need to apply for an SSN. Follow the instructions on how to apply for a Social Security card as described on this [SSA website](#).

What if the SSA refuses to give an F, M, or J nonimmigrant an SSN?

A nonimmigrant who is ineligible for an SSN will receive a [Form SSA-L676, “Refusal to Process SSN Application.”](#) The nonimmigrant may have to present this letter when applying at the DMV office to fulfill the SSN requirement, if any.

What should an F, M or J nonimmigrant do if there is an error on the passport?

A nonimmigrant with a passport error should consult the home country embassy or consulate to find out how to correct, update or renew the passport. Most embassies and consulates have a website with information regarding this issue.

What should an F, M or J nonimmigrant do if the name on the passport does not match the name on the Form I-20 or Form DS-2019?

Prior to applying for a driver’s license at a DMV, the nonimmigrant should consult the DSO to correct the Form I-20 or with the RO to correct the Form DS-2019 to reflect the name on the passport. Here are some suggestions and exceptions for this process:

- Enter names and dates consistently on all official identification/travel documents (passport, visa, Form I-20 and Form I-94³). Name variations may cause problems. The earliest official document, usually the passport, sets the standard.
 - Date entry is critical. Please be aware of how a form asks for date entry. The Form I-94 date entry is Day/Month/Year whereas most other U.S. forms use

³ Inaccuracies on the Form I-94 cause the most problems since, in most cases, the Form I-94 is hand-written by the nonimmigrant.

Month/Day/Year. Date mix-ups are a common cause for delays in nonimmigrant verification and benefit processing.

- If the nonimmigrant's language uses an alphabet other than English, the DSO must ensure that the nonimmigrant understands the U.S. standard of first name (given name) and last name (surname or family name) and can enter the appropriate name information on forms correctly.
- A DSO or RO who creates a SEVIS record and subsequently issues a Form I-20 or Form DS-2019 must ensure that the nonimmigrant's name appears in SEVIS exactly as it does on the nonimmigrant's passport or national ID card. If no passport is available, use the name on the national ID card. Ask the nonimmigrant to carefully review and verify the spelling and name sequence entered in the SEVIS record.
- A DSO or RO without a primary document from which to obtain the correct spelling of the nonimmigrant's name should not go beyond "draft" on the SEVIS record until obtaining one (e.g., passport or national ID card) and verifying the name. Do not use a nonimmigrant's school admission form to create the SEVIS record.
- If the nonimmigrant has only one name, the DSO or RO should enter it in SEVIS as the last name and enter FNU (first name unknown) in the first name field. The DSO or RO must explain to the nonimmigrant that some U.S. government officials are not familiar with the FNU acronym and will assume the nonimmigrant's first name is FNU. The DSO or RO must ensure the nonimmigrant can clearly explain the acronym in case its use causes a validation problem 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.
- Consistency with capitalization is helpful but not critical.
- Enter names in English and use only standard English letters. The Department of Homeland Security and the Department of State data systems do not recognize letters like ñ, é, ü, and ç. Enter names like "Muñoz" and "Sémonin" as "Munoz" and "Semonin." Do not change spellings to reflect the sounds of the language of origin.
- A nonimmigrant must enter family name (last name or surname) and first name (given name) on the Form I-94 exactly as it appears on the passport.
 - Inconsistency can occur with a Latino nonimmigrant using the mother's maiden name either as a middle name or as part of a compounded/combined last name.
 - The nonimmigrant may choose either way when applying for the passport but must enter the name on the Form I-94 exactly as it appears on the passport.

To minimize mistakes, a nonimmigrant should carefully read the information provided by Customs and Border Protection (CBP) and hand-carry a previously prepared, unofficial copy of the Form I-94 while traveling to use as a template. Consistent name use on all forms and in all situations is necessary, especially the Form I-94.

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

CBP reviews requests for corrections and, if appropriate, issues the necessary replacement documents to remedy the following errors made on the Form I-94 at the time of entry into the United States:

- Improper nonimmigrant classification
- Inaccurate biographical information
- Incorrect period of admission

Officials at any [designated deferred inspection location](#) or CBP office located within an international airport can help, regardless of the location of the document's actual issuance. See the [CBP website](#) for more detailed information.

What should a nonimmigrant do if a DMV official refuses to issue a driver's license because the nonimmigrant's Form I-20 or DS-2019 is not stamped?

A nonimmigrant who has transferred schools, changed status or changed education levels might not have a stamped copy of the latest Form I-20 or DS-2019. In addition to the normally required documents when applying for a benefit, the nonimmigrant should bring the following to prove status while in the United States:

- Most recent stamped Form I-20 or Form DS-2019
- Current, unstamped Form I-20 or Form DS-2019
- Any transfer documentation from the transfer-in school (e.g., letter of admission)
- Any change of status documentation from USCIS

A nonimmigrant who has lost the stamped Form I-20 or Form DS-2019 may take the current, signed printout of the Form I-20 or Form DS-2019 to any [designated deferred inspection location](#) or CBP office located within a port of entry, such as in an international airport, in order to receive a stamp.

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

Yes, in many cases the nonimmigrant can apply for a driver's license but should consult with the local DMV and DSO before applying. The DMV requires a nonimmigrant 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 or practical training period start date and end date in the United States.

What documents should a nonimmigrant on the cap-gap extension present to verify legal presence?

A nonimmigrant should inform the DSO immediately after receiving an approval notice from USCIS. The DSO will print a new Form I-20 and give it to the nonimmigrant. In the comments section on Page 3 of the Form I-20, USCIS will insert new language in the nonimmigrant's SEVIS record as follows:

F-1 status and employment authorization for this student have been automatically extended to September 30, 20XX⁴. 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 is available on the SEVP website at www.ice.gov/sevis.

The local DMV office will use the information on Page 3 of the Form I-20 to validate the nonimmigrant's duration of status through September 30.

Upon receiving approval for H-1B status, the nonimmigrant should wait 10 days and then return to the DMV to present the Form I-797A and request that the DMV extend the driver's license expiration date for a period of one year. The nonimmigrant must return to the DMV every year to extend the license for the period of stay in the United States, unless otherwise stated by the local DMV office.

What are the requirements for an F or M nonimmigrant on post-completion optional practical training (OPT)?

An F or M nonimmigrant on post-completion OPT should present their Form I-766, "Employment Authorization Document," (EAD) for verification, as this is the most recent immigration document with the current information.

While the DMV uses the EAD card's A number for verification rather than the Form I-20's SEVIS ID, the DMV still requires an endorsed Form I-20 with OPT authorization on Page 3.

⁴ USCIS will amend this date for the following year at the beginning of each fiscal year (i.e., October 1).

Will all states add the 60-day grace period to a driver's license validity period?

No. Not every state adds the 60-day period after the program end date to the driver's license for an initial applicant and/or an applicant renewing a driver's license. While the SAVE system automatically accounts for the grace period, many states choose to issue a benefit that is valid until the program end date listed on the Form I-20 or Form DS-2019. A nonimmigrant should consult with the local DMV office before applying for a state driver's license or renewing a driver's license.

Why does a former F or J nonimmigrant have trouble getting a driver's license after a change to a different status, such as to an H-1B?

When SAVE queries an applicant's immigration status and the underlying databases, such as SEVIS in the case of F, M and J nonimmigrants, and those databases do not contain an applicant's updated change of status information, SAVE cannot verify the individual during the initial verification.

In this case, SAVE can verify these individuals with an additional verification during a manual review of the immigration records.

What are the requirements for an accompanying dependent?

An accompanying dependent who applies for a driver's license or state ID should present supporting personal status documentation as well as status documentation of the primary visa holder. Information on a practical training period or cap-gap period reflects the duration of status.

The DMV will look for consistency between the dependent's duration of status and that of the primary visa holder.

Sometimes DMV offices have difficulty when verifying dependants. The best way to alleviate this problem is for all nonimmigrants in this position to do the following:

- Always go to the DMV office with the primary (F-1, M-1 or J-1) status holder
- Bring the following paperwork:
 - The primary and dependent's most current Form I-94
 - The primary and dependent's valid passport with visa (when applicable)
 - Proof of identity
 - Proof of relationship (e.g., marriage certificate)
 - The primary and dependent's most current Form I-20 or Form DS-2019 (This is critical when the primary F-1 or M-1 is on OPT)

Which J exchange visitor classes have work authorization?

Officials at most DMV offices recognize that J exchange visitors in the following classes of admission have work authorization and may receive an SSN:

- Alien physician
- Au pair
- Camp counselor
- Government visitor
- Intern
- Professor
- Research scholar
- Short-term scholar
- Specialist
- Summer work/travel
- Teacher
- Trainee

These classes of J-1 exchange visitor admission require a sponsor letter in order to receive an SSN:

- Student at a college or university
- Student intern
- International visitor

The sponsor letter must be on the sponsoring organization's letterhead and include an original signature of the RO. The letter must show the name of the J-1, indicate the J-1 has work authorization and show a recent date within the program start and end dates listed on the Form DS-2019.

Some states require a J exchange visitor to apply for an SSN even if ineligible. In such a case, the SSA will issue a [Form SSA-L676 "Refusal to Process SSN Application."](#) Please have the J exchange visitor take this form to the DMV office when applying for a driver's license.

I am having a problem not listed here. What do I do?

In general, as long as the nonimmigrant's record is in *Active* status in SEVIS, the design of the SAVE system allows it to handle these issues by performing an additional, or secondary, verification.

This means that if SAVE cannot initially verify an applicant's status, the DMV office should institute an additional verification request either electronically or by submitting a Form G-845 "Request for Document Verification," for a manual review of the applicant's immigration records.

In cases in which an applicant's status was not verified on initial verification and the agency instituted additional verification, as required, the SAVE Program responds in 3-5 federal work days if the additional verification is automated and 10-20 federal work days if the additional verification is paper-based.

If the additional verification does not resolve the issue, please see the [Contact Information section](#) below on contacting SEVP for assistance.

KNOWN ISSUES

Background

SEVP, in conjunction with USCIS, actively collects data from stakeholders to identify problematic trends and patterns. SEVP recently assisted in developing a system enhancement to provide for F, M, and J nonimmigrants transferring or changing education levels to receive verification based on their current *Active* record rather than last record updated. Please note that this is not the same issue as the program gap issue listed below.

Program Gap Issue

A program gap exists for an F student in the following circumstances:

- Completes an undergraduate program of study
- Has a *Completed* SEVIS record
- Is waiting to attend a graduate program
- Is in the United States more than 30 days before the new program start date
- Has a new SEVIS record in *Initial* status

While still legally present in the United States, this nonimmigrant has no active record in SEVIS and cannot receive a SAVE verification for a product such as a driver's license or Social Security card.

This issue will also affect nonimmigrants transferring or changing education levels (without graduating) during a long break and having an *Active* SEVIS record. DMVs in many states cannot verify in SAVE a nonimmigrant in between programs. There are two reasons for this:

1. SAVE can only verify an F, M or J nonimmigrant in *Active* status and within a program start date and end date.
2. Many states have specific length requirements (e.g., a nonimmigrant must have six or more months remaining in a program in order to receive a product) or do not recognize the 60-day grace period.

SEVP is currently working with USCIS and SAVE to find a work-around for this issue until the launch of SEVIS II, with which this will no longer be an issue. In some cases, the transfer-out school may be able to keep the nonimmigrant's SEVIS record during the summer vacation and release it 30 or fewer days before the new program start date. This way, the nonimmigrant has no gap in *Active* SEVIS status.

SEVP will send a broadcast message when it has an update regarding this issue.

Change of Status Issue (Commonly known as the "H-1B Issue")

SEVP, SAVE and USCIS are aware of an issue affecting some former F and J nonimmigrants who have changed status, specifically to an H-1B status, and are unable to receive a valid initial verification response when applying for a benefit.

Based on the dynamic nature of the different data sources, SAVE can verify changes in status either in real time or in daily uploads, depending on the database. It is important to note that SAVE is reliant on the source databases, as well as the accuracy of that data.

If there is an instances when a SAVE response does not match the information on the applicant's immigration documents or there is a material discrepancy between information on an applicant's immigration documents and the SAVE response, the DMV should initiate an additional verification request.

SAVE is committed to improving the verification process through technical enhancements and strategic initiatives. In Fiscal Year 2011, the SAVE Program is conducting an analysis of SAVE referrals and data issues with the intent of executing a number of system enhancements to include additional data sources and data elements to reduce the number of cases requiring additional verification. SAVE expects these enhancements to improve the efficiency of the system as well as the customer experience.

Affected former F or J nonimmigrants should contact SEVP using information in the [Contact Information](#) section.

F-2 Dependents Issue When F-1 is on Post-Completion OPT or the 17-Month STEM OPT Extension

SEVP is aware of an issue which inhibits F-2 dependents from receiving a valid initial verification response when the primary F-1 is on post-completion OPT or the 17-month STEM OPT extension. SAVE and SEVP are currently working on a permanent solution. Until that time, please follow the following suggestions:

1. The F-1 nonimmigrant should accompany the F-2 nonimmigrant when applying for a benefit (e.g., a driver's license or Social Security card).
2. Bring all documents, including, but not limited to, the primary and dependent's most recent Forms I-94, Forms I-20, F-1 nonimmigrant's EAD card, any other required documents, etc. to the DMV office.
3. Explain to the DMV customer service representative that this is a known issue and, if necessary, ask to speak with a supervisor. If there is an instance when a SAVE response does not match the information on the applicant's immigration documents or there is a material discrepancy between information on an applicant's immigration documents and the SAVE response, the DMV should initiate an additional verification request.

If the suggestions above do not work, please see the [Contact Information](#) section below in order to request assistance.

CONTACT INFORMATION

- **Contacting SEVP**

An F, M, or J nonimmigrant, DSO or RO with further questions about driver's licenses not addressed in this document should contact SEVP at DMVSSA.SEVP@DHS.gov. For questions about a specific state's motor vehicle policy, please [contact that state directly](#).

For general SEVP policy questions, contact the SEVP Response Center at 703-603-3400 or SEVP@DHS.gov.

- **SEVP Websites**

www.ICE.gov/SEVIS – SEVP's official website on ICE.gov.

[DMV Webinar](#) – SEVP developed a webinar to learn about the process of applying for a driver's license or SSN – Launching Fall 2011.

[Study in the States](#) – SEVP's new website with useful information for F, M and J nonimmigrants, prospective nonimmigrants, DSOs and ROs – Launching Fall 2011.

- **Problem Resolution Requests**

If an F, M or J nonimmigrant applies for a driver's license or ID and officials at the DMV are unable to issue a product, the DSO or RO should e-mail SEVP

(DMVSSA.SEVP@DHS.gov) for assistance. In the e-mail's subject line, enter "DMV Issue – (name of the state)." In the body of the e-mail, please provide the following information. Please note, all of the following information is required unless otherwise noted:⁵

1. SEVIS ID
2. Family name
3. First name
4. Date of Birth
5. Form I-94 admission number (11 digits)
6. Applicant's physical address
7. Applicant's phone number
8. Applicant's e-mail address (not required but helpful)
9. Address of the DMV office where problem occurred
10. Date of the latest DMV office visit
11. SAVE case number and/or Form I-797 receipt number (if available)
12. Alien registration number (9-digit A number, if available)
13. Current driver's license/ID/customer number and/or DMV receipt number (if available)
14. Explanation of the problems

Once SEVP receives the e-mail, a representative will review the case. Based on the information in SEVIS, the representative may contact the DSO directly and explain why the nonimmigrant cannot receive a driver's license or state ID card. In all other cases, the SEVP representative will send an e-mail to a state DMV and request a review of the case. Officials at the state DMV office generally contact the nonimmigrant directly with further information upon case resolution. If, however, the DMV contacts SEVP, SEVP will contact the stakeholder directly.

NOTE: If this is for a change of status case, for example an F-1 becoming an H-1B, please include a scan of the Form I-797 of Form I-797A.

⁵ For problem resolution of accompanying dependent applications, include information of the primary visa holder.

State DMV Website Information

<u>Alabama</u>	<u>Illinois</u>	<u>Montana</u>	<u>Rhode Island</u>
<u>Alaska</u>	<u>Indiana</u>	<u>Nebraska</u>	<u>South Carolina</u>
<u>Arizona</u>	<u>Iowa</u>	<u>Nevada</u>	<u>South Dakota</u>
<u>Arkansas</u>	<u>Kansas</u>	<u>New Hampshire</u>	<u>Tennessee</u>
<u>California</u>	<u>Kentucky</u>	<u>New Jersey</u>	<u>Texas</u>
<u>Colorado</u>	<u>Louisiana</u>	<u>New Mexico</u>	<u>Utah</u>
<u>Connecticut</u>	<u>Maine</u>	<u>New York</u>	<u>Vermont</u>
<u>Delaware</u>	<u>Maryland</u>	<u>North Carolina</u>	<u>Virginia</u>
<u>Florida</u>	<u>Massachusetts</u>	<u>North Dakota</u>	<u>Washington</u>
<u>Georgia</u>	<u>Michigan</u>	<u>Ohio</u>	<u>Washington, DC</u>
<u>Guam</u>	<u>Minnesota</u>	<u>Oklahoma</u>	<u>West Virginia</u>
<u>Hawaii</u>	<u>Mississippi</u>	<u>Oregon</u>	<u>Wisconsin</u>
<u>Idaho</u>	<u>Missouri</u>	<u>Pennsylvania</u>	<u>Wyoming</u>