

Express Terms
Title 13, Division 1, Chapter 1,
Article 2.0 – Driver Licenses and Identification Cards

§ 16.00 Purpose

A California driver license shall not be issued to an applicant by the department except as permitted under Vehicle Code sections 12801, 12801.5, 12801.6, 12801.8, 12801.9, and the regulations of this article.

NOTE: Authority cited: Section 1651 and 12801.9, Vehicle Code. Reference: Sections 12801, 12801.5, 12801.6, 12801.8, and 12801.9, Vehicle Code.

§ 16.02 Definition

As used in this article the following definitions apply:

- (a) “Applicant” means the person applying for the issuance of a driver’s license.
- (b) “Government” means the entity, office, or authority, governing over a country, state, county, city, municipality, district, agency, department, or any other political subdivision of a country or state.
- (c) “Foreign document” means a document issued by a government other than the federal government, a state, the District of Columbia, a possession or territory of the United States, or any of their political subdivisions.
- (d) “School documents” means any document issued by a public or private primary, or secondary, or post-secondary institution, college, or university. School documents shall either include the applicant’s date of birth, or if a foreign school document, be sealed by the school and include a photograph of the applicant at the age the record was issued.

NOTE: Authority cited: Section 1651 and 12801.9, Vehicle Code. Reference: Sections 12801, 12801.9, Vehicle Code.

§ 16.04 Primary Identification Documents

Individuals who apply for an original driver license but are unable to meet the requirements of Section 15.00 of this Article must comply with either subsection (a), (b), or (c) of this section, or Section 16.06.

- (a) The applicant may present one foreign document approved by the department pursuant to Section 16.08 of this Article. The document must be valid, the most recently issued version, and susceptible to verification with the issuing agency.
- (b) If unable to comply with subsection (a) of this section, the applicant may present two of the following documents:

- (1) A document that otherwise complies with subsection (a), but cannot be verified with the issuing agency.
- (2) A valid foreign passport approved by the department pursuant to Section 16.08 of this Article.
- (3) A federal government-issued identification card with a current photograph.
- (4) A valid consular identification document approved by the department pursuant to Section 16.08 of this Article.

(c) If unable to comply with subsections (a) or (b) of this section, the applicant must present two of the following documents:

- (1) An expired foreign passport that meets International Civil Aviation Organization (ICAO) standards, with an issue date of 2005 or later.
- (2) A foreign birth certificate that is either:
 - (A) Issued by a national civil registry within six (6) months of the date of application that contains an embedded photograph of the applicant, or
 - (B) Accompanied by an Apostille certification and translated by the consulate of the applicant's country of origin.
- (3) A federal government-issued identification card with a current photograph.

NOTE: Authority cited: Section 1651 and 12801.9, Vehicle Code. Reference: Sections 12800, 12800.7, 12801, 12801.9, Vehicle Code.

§16.06 Secondary Review

(a) If an applicant is unable to comply with subsections (a), (b), or (c) of Section 16.04, the applicant may submit any of the following documents that will be reviewed by the department to verify the applicant's identity:

- (1) A School document.
- (2) U.S. Department of Homeland Security (DHS) Form I-589, Application for Asylum and for Withholding of Removal
- (3) U.S. DHS Form I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status – For Academic and Language Students or Certificate of Eligibility for Nonimmigrant (M-1) Student Status – For Vocational Students) or Form DS-2019 (Certificate of Eligibility for Exchange Visitor (J-1) Status)

- (4) A marriage license; if the language on the marriage license is in a language other than English, the marriage license shall be accompanied by a certified translation into English.
- (5) A divorce decree; if the language on the decree is in a language other than English, the decree shall be accompanied by a certified translation into English.
- (6) A foreign driver's license, which if in a language other than English, shall be accompanied by a certified translation into English.
- (7) An income tax return.

(b) The department may determine additional documents will assist in verifying an applicant's identity as stated on the documents listed in subsection (a). The department shall publish a list of these documents through a variety of means, including posting the list on the department's internet web site.

(c) The applicant shall be informed by the department that the document must be subjected to a secondary review before the application for license can be completed.

- (1) The applicant shall be given a Secondary Review Referral Notice, form DL 209A (New 2014), which form is hereby incorporated by reference, and instructed to make an appointment with the department's Investigative Division to complete the review process.
- (2) The secondary review may include, but not be limited to an interview of the applicant, or the use of electronic verification systems and manual methods.

(d) When an applicant's identity has been deemed verified by the secondary review, the applicant shall be instructed by the department to make an appointment with a department field office to complete the application and testing process.

Note: Authority cited: Section 1651 and 12801.9, Vehicle Code. Reference: Sections 12800, 12800.7, 12801, 12801.9, Vehicle Code.

§ 16.08 Acceptable Document Approval Criteria

(a) The department may identify and approve foreign documents that provide satisfactory proof of the applicant's identity. To obtain approval by the department, a foreign document must meet the following criteria:

- (1) The applicant was required to provide proof of nationality and identity to the entity that issued the document.
- (2) The document includes all of the following security features:

- (A) A unique identification number.
- (B) An optically variable feature such as a hologram or color-shifting inks.
- (C) An ultraviolet image.
- (D) Encoded information.
- (E) Machine readable technology.
- (F) Micro printing.
- (G) Secure laminate.
- (H) Integrated photograph and signature.

(3) The face of the document includes all of the following data:

- (A) Name of the individual to whom it is issued.
- (B) Date of issuance.
- (C) Date of expiration.
- (D) Name of the issuing entity.
- (E) Identification number.

(b) The department shall publish a list of documents that have been deemed to provide satisfactory proof of an applicant's identity pursuant to the standards specified in subsection (a). The department shall publish this list through a variety of means, including posting the list on the department's internet web site.

Note: Authority cited: Section 1651 and 12801.9, Vehicle Code. Reference: Sections 12800, 12800.7, 12801, 12801.9, Vehicle Code.

§ 16.10 Residency

(a) For all licenses issued under sections 16.04 and 16.06, applicants must submit one of the documents listed in subsection (c) to verify the applicant's residence address as set forth in the application as his or her true California residence address.

(b) Notwithstanding subsection (a), a parent or legal guardian may attest, on the driver's license application, to a minor's residence as evidenced on the driver's license application. Spouses or domestic partners may use a marriage license or domestic partner registration certificate to trace his or her relationship to the head of household to whom a residency document has been addressed.

(c) Acceptable residency documents are:

- (1) Rental or lease agreements with the signatures of the owner/landlord and the tenant/resident and the start date of the rental or lease.
- (2) Deeds or titles to residential real property.
- (3) Mortgage bills.

- (4) Home utility bills with the service address and name of the account holder.
- (5) School records.
- (6) Medical records.
- (7) Internal Revenue Service or California Franchise Tax Board tax returns.
- (8) California Certificates of Vehicle / Boat Titles.
- (9) Change of Address Confirmations by the United States Postal Service (Form CNL 107).
- (10) Federal government-issued documents.
- (11) A property tax bill or statement issued within the previous 12 months.
- (12) Records of a financial institution. For the purposes of this section the term “financial institution” means any state or national banks, state or federal savings associations, trust companies, industrial loan companies, state or federal credit unions, and any institution or entity that has issued a credit card.

(d) The department may determine additional documents will assist in verifying an applicant’s true California residence address. The department shall publish a list of these documents through a variety of means, including posting the list on the department’s internet web site.

Note: Authority cited: Section 1651 and 12801.9 (b) Vehicle Code. Reference: Sections 12800.7, 12801.9, Vehicle Code.

§ 16.12 Social Security Number

(a) The applicant must present a valid social security number, waiver, or affidavit of non-eligibility.

(b) Any social security number provided to the department will be verified with the Social Security Administration pursuant to §15.04 of this article.

Note: Authority cited: Section 1651, 1653.5, 12801, and 12801.9, Vehicle Code. Reference: Sections 1653.5, 12801, 12801.9, Vehicle Code.

§16.14 Temporary License

The department shall issue a temporary driver’s license valid for up to 60 days provided there is no other cause for refusal pending the verification of the documents submitted by the applicant to establish identity and California residency.

Note: Authority cited: Section 1651 and 12801.9, Vehicle Code. Reference: Section 12801.9, Vehicle Code.