

4501:1-1-42

Application and document requirements for the issuance of a legacy driver's license and other legacy credentials.

(A) The registrar of motor vehicles shall designate a date on or after January 1, 2013 at which time this rule and rules 4501:1-1-41, 4501:1-1-43, and 4501:1-1-44 of the Administrative Code become effective to implement the Ohio safe identification (ID) system.

(B) This rule governs acceptable identification documents to be submitted to the registrar or any deputy registrar with an application for any legacy credential to be issued by the Ohio bureau of motor vehicles (BMV). As used in this rule:

(1) "Credential" means any temporary instruction permit identification card (TIPIC), driver's license, commercial driver's license, motorcycle operator's license, or identification card issued by the BMV.

(2) "Legacy credential" means any TIPIC, driver's license, commercial driver's license, motorcycle operator's license, or identification card issued by the BMV in compliance with the provisions of the Revised Code and the Administrative Code, but not necessarily in compliance with 6 Code of Federal Regulations (C.F.R.) 37, effective March 31, 2008, issued to a citizen or permanent resident of the United States. "Legacy credential" does not include any nonrenewable credential previously issued by the BMV. A legacy credential shall bear a distinguishing feature prescribed by the registrar of motor vehicles identifying it as a legacy credential.

The Code of Federal Regulations may be accessed at <http://www.gpoaccess.gov/cfr/index.html>.

(C) A person who applies for any credential shall be photographed before the credential is issued. The photograph shall capture the applicant's facial image. The facial image shall be retained for five years if no credential is issued or shall be retained for at least two years beyond the expiration date of any credential issued.

(D) A person who applies for any credential shall sign a declaration that the information presented on the application is true and correct and an acknowledgment that giving false information may constitute a serious criminal offense under federal or Ohio law.

(E) A person who applies for any credential shall first be screened for the issuance of a safe credential under the provisions of rule 4501:1-1-41 of the Administrative Code. If the person does not qualify or chooses not to qualify for a safe credential, a person who is a citizen or permanent resident of Ohio and the United States under rule 4501:1-1-35 of the Administrative Code may apply for a legacy credential under this rule and a person who is a temporary resident of Ohio and the United States under rule 4501:1-1-37 of the Administrative Code may apply for a nonrenewable credential under the provisions of rule 4501:1-1-43 of the

Administrative Code.

(F) Subject to the provisions of paragraph (G) of this rule, any legacy credential issued by the Ohio BMV that is current or has been expired for less than six months and for which the person's social security number has been verified in the records of the BMV shall constitute acceptable evidence of the person's legal name, date of birth, U.S. citizenship or legal presence, Ohio residential street address, and social security number for all of the following transactions conducted by the registrar or any deputy registrar if all other conditions are met:

(1) The renewal of the legacy credential;

(2) The conversion to any other legacy credential of another class;

(3) The registration and licensing of any motor vehicle.

(G) If the social security number cannot be verified in the records of the BMV, then the person shall be required to present an acceptable document verifying the person's social security number from the list of documents enumerated in paragraph (K) of rule 4501:1-1-41 of the Administrative Code. If the person's name has changed from the name on the legacy credential, the person shall present acceptable documents verifying the name change from the list of documents enumerated in paragraph (J) of rule 4501:1-1-41 of the Administrative Code. If the person's Ohio residential street address has changed from the address on the legacy credential, the person may state the person's new Ohio residential street address on the application.

(H) A current, valid offender release identification card issued by the Ohio department of rehabilitation and correction containing the person's photograph, name, date of birth, and social security number shall constitute acceptable evidence of the person's identity for the issuance of any Ohio legacy credential if all other conditions are met. The person may state the person's Ohio residential street address on the application. If any of the other required information is missing from the offender release identification card, or if the person's social security number cannot be verified, the application shall be denied unless the missing information is provided by other acceptable documents enumerated in rule 4501:1-1-41 of the Administrative Code.

(I) A current, valid identification card issued by the Ohio department of youth services (DYS) containing the person's photograph, name, date of birth, and social security number shall constitute acceptable evidence of the person's identity for the issuance of any Ohio legacy credential if all other conditions are met. The person may state the person's Ohio residential street address on the application. If any of the other required information is missing from the DYS identification card, or if the person's social security number cannot be verified, the application shall be denied unless the missing information is provided by other acceptable documents enumerated in rule 4501:1-1-41 of the Administrative Code.

(J) A person who loses his or her legacy credential within ninety days of its expiration may apply for a renewal legacy credential, and a person who loses his or her legacy credential more than ninety days prior to its expiration may apply for a duplicate legacy credential, if all of the following conditions are met:

- (1) The person signs an affidavit stating that the original legacy credential was lost or stolen;
- (2) The person presents at least one acceptable document from the lists in paragraphs (H), (K) or (M) of rule 4501:1-1-41 of the Administrative Code;
- (3) The data recorded in the BMV system confirms the person's full legal name, date of birth, legal presence in the United States, and social security number. The person shall state on the application the person's current residential street address in the state of Ohio;
- (4) The digital photograph recorded in the BMV data system shows conclusively that the applicant is the person to whom the original legacy credential was issued.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under:

119.03

Statutory Authority:

R.C. 4501.02, R.C. 4507.01, R.C. 4507.09

Rule Amplifies:

R.C. 4506.07, R.C. 4507.06, R.C. 4507.09, R.C.
4507.50