

4501:1-1-43

**Acceptable documents for nonrenewable 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, 4501:1-1-42, 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 nonrenewable 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) "Nonrenewable 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 to a temporary resident of Ohio and the United States in accordance with rule 4501:1-1-37 of the Administrative Code. A nonrenewable credential shall bear a distinguishing feature prescribed by the registrar identifying it as a nonrenewable credential.

(3) "DHS" means the United States department of homeland security; its predecessor agency, immigration and naturalization services (INS); its divisions and agencies, including the United States customs and immigration services (USCIS); and any successor agencies.

(C) A person who applies for any credential shall be photographed before the credential is issued. The photograph shall capture the person'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 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 this rule. 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 rule 4501:1-1-42 of the Administrative Code 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 this rule.

(F) A person who applies for any nonrenewable credential shall present documents

sufficient to establish the person's:

(1) Full legal name;

(2) Date of birth;

(3) Social security number, or proof that the applicant is not eligible for a social security number;

(4) Street address of the person's principal residence in Ohio;

(5) Status as a temporary resident of the United States, all in accordance with this rule.

(G) All documents shall be an original document or a copy bearing an original certification by the issuing authority. Uncertified copies or copies of certified copies shall not be acceptable.

(H) The person's full legal name shall consist of the person's first (given) name, middle name, and last name (surname) without the use of initials or nicknames. If the source document presented does not establish the person's current full legal name, or the names on the documents are inconsistent, the person shall present additional updated documents from USCIS together with at least one of the following documents to establish the full legal name to the satisfaction of the registrar or deputy registrar:

(1) A marriage certificate issued by the appropriate state or local agency or court;

(2) A certified copy of a decree of divorce, dissolution, or annulment of marriage;

(3) A certified copy of a court ordered name change.

(I) To establish the person's full legal name and date of birth, the person shall present at least one of the following source documents containing the person's full legal name and date of birth:

(1) Unexpired employment authorization document (EAD) issued by DHS, form I-766 or form I-688B;

(2) Unexpired foreign passport with a valid, unexpired United States visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States;

(3) A foreign birth certificate accompanied by a translation by an approved translator if the birth certificate is not in English;

(4) Appropriate USCIS documents which are original and valid, or like documents

issued by the successor agency to the USCIS;

(5) A valid United States military service or dependent identification document, with photograph;

(6) United States military discharge separation papers;

(7) Any other genuine and reliable document approved by the registrar of motor vehicles.

(J) To establish the person's social security number (SSN), the person shall present:

(1) The person's social security account number card;

(2) A W-2 form issued by a verifiable business;

(3) A SSA-1099 form issued by a verifiable business;

(4) A non-SSA-1099 form issued by a verifiable business; or

(5) A pay stub issued by a verifiable business with the person's name and SSN on it.

A person who cannot present acceptable proof of the person's social security number shall present acceptable proof to establish non-work authorized status. The application shall be denied if a person fails to present acceptable proof of the person's social security number and fails to present acceptable proof to establish non-work authorized status.

(K) To establish lawful status in the United States, the person shall present appropriate DHS or USCIS documents which are original and valid showing dates of legal presence. The registrar may require that any documentation presented be verifiable through the verification lawful status (VLS) or systematic alien verification entitlement (SAVE) databases maintained by the federal government.

(L) The person shall present acceptable evidence of the person's residential street address within the state of Ohio. A post office box or other mail box address is not acceptable. The person shall present at least two documents which contain the person's name and the person's residential street address from the list set forth in rule 4501:1-1-44 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates:

WITHDRAWN ELECTRONICALLY

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Certification

05/17/2017

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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