

State Laws Providing Access to Driver's Licenses or Cards, Regardless of Immigration Status

Last updated June 2022

State	Bill No.	Date Signed	Effective Date	Description/Requirements
CA	AB 60 , as amended by SB 853 (June 20, 2014) and by AB 1660 (Sept. 19, 2014) and by SB 244 (Sept. 28, 2018)	October 3, 2013	January 1, 2015	Driver's license for individuals who cannot show proof of authorized presence, as well as other state residents who choose not to obtain a REAL ID license. DMV, with input from stakeholders, to designate documents required to establish identity and state residence. "Federal Limits Apply" to appear on front of license. "This card is not acceptable for official federal purposes. This license is issued only as a license to drive a motor vehicle ..." to appear on the back. DMV may make other changes to the extent necessary to comply with REAL ID. Includes antidiscrimination and privacy protections.
CO	SB 13-251 , as amended by SB 194 (June 5, 2014) and SB 87 (May 31, 2014) and SB 108 (May 18, 2018) and SB 139 (May 28, 2019) and SB 199 (June 25, 2021) and SB 131 (June 25, 2021)	June 5, 2013	August 1, 2014	Driver's license or state ID card for individuals who provide proof that a Colorado income tax return was filed in the prior year and current state residence, or proof of 24 months of continuous state residence; an Individual Taxpayer Identification Number (ITIN) or Social Security number (SSN); and a passport, consular ID card, or military ID document. DLs issued under this provision shall be marked "Not valid for federal identification, voting, or federal public benefits purposes." Provides licenses to individuals who are temporarily lawfully present in the U.S. as well as undocumented individuals. Includes confidentiality provisions.
CT	HB 6495 as amended by HB 6366 (June 19, 2015)	June 6, 2013	January 1, 2015	Driver's license for individuals who cannot show proof of lawful presence or SSN, if show proof of identity, residency, affidavit promising to legalize when eligible. Excludes those who have been convicted of a felony in Connecticut. License is "for driving purposes only" and cannot be used as proof of identity for voting. Shall include an indication that the license is not acceptable for federal identification or voting purposes. Working group will examine methods of verifying foreign documents.

DE	SB 59	June 30, 2015	January 1, 2016	Driving privilege card for otherwise-eligible individuals who do not show proof of legal presence but provide proof of identity; have filed or been claimed as a dependent on Delaware taxes for 2 years; cards to be marked "Driving Privilege Only" and "Not Valid for Identification." State and federal criminal history checks are required. If an alias is identified, applicant must resolve conflict prior to becoming eligible; includes confidentiality provisions. Task force to reconvene June 1, 2016, to analyze and make recommendations for modifying or improving the program.
DC	B20-275	November 18, 2013	May 1, 2014	Driver's license, valid for 8 years, for individuals who have resided in DC for more than 6 months, have not been assigned or are ineligible for an SSN, provide proof of identity, date of birth and residency. "Not valid for official federal purposes" on face of card in smallest font size otherwise on the card. Additional changes only to make the card more similar to other licenses or to the minimum extent necessary to comply with DHS requirements. License cannot be used to consider an individual's citizenship or immigration status or as a basis for criminal investigation, arrest, or detention. Includes confidentiality provisions.
HI	HB 1007	June 30, 2015	January 1, 2016	Limited-purpose license for individuals who do not provide proof of authorized presence in the U.S. Must show proof of identity and residency. The licenses will be marked "not acceptable for official federal purposes" on the front, with language on the back confirming that the license does not establish eligibility for public benefits, employment, or voting. May be modified only to the extent needed to conform to the REAL ID Act. Includes antidiscrimination and confidentiality provisions.
IL	SB 957 SB 225	January 27, 2013 August 13, 2021	November 28, 2013 August 13, 2021	Temporary visitor's license for drivers ineligible for Social Security number who do not have proof of authorized presence. Must present an unexpired passport or consular ID. License may not be used for identification and must contain a notice on its face stating this in capital letters. The 2021 law prohibits the use of facial recognition searches or photos obtained in issuing a driver's license or ID card for immigration enforcement purposes.
MD	SB 715	May 2, 2013	January 1, 2014	ID or DL for otherwise eligible individuals who do not have evidence of a lawful status or a Social Security number. Must show that filed

	HB 23	December 7, 2021	October 21, 2021	Maryland tax return or resided in Maryland and was claimed as dependent on tax return for past two years. Not acceptable for official federal purposes. Distinguishable in color or design from other licenses/IDs. Must state on its face and in machine-readable zone that it is not acceptable by federal agencies for official purposes. May not be used to purchase a firearm. The 2021 law prohibits disclosure of personal information, facial recognition searches, photo image searches, and access to state or local law enforcement databases by federal agencies for immigration enforcement purposes in the absence of a valid federal or state judicial warrant.
MA	H 4805	June 9, 2022	July 1, 2023	Massachusetts license for otherwise eligible individuals who present proof of identity, date of birth and state residence. Prohibits inquiries and recording of an applicant's or license holder's citizenship or immigration status, with limited exceptions. Includes confidentiality provisions.
NJ	A4743/S3229	December 19, 2019	January 1, 2021	Standard basic driver's license or nondriver ID card for individuals who present proof of identity, age, and state residence. Applicants must provide an SSN or ITIN or indicate that they are ineligible for an SSN. Standard licenses will note that they are not acceptable for official federal purposes under REAL ID. Standard licenses are not proof of U.S. citizenship or lawful immigration status and may not be used as a basis for investigation, arrest, prosecution, or detention. State and local officials, including law enforcement, shall accept standard basic driver's licenses and ID cards as proof of identity, age, and state residence. Includes confidentiality and antidiscrimination provisions.
NM	HB 99 as amended by SB 278 (April 2, 2019)	March 8, 2016	May 18, 2016	Individuals with a lawful status as defined in the REAL ID Act can apply for either a REAL ID license or a standard driver's license. Those who do not show proof of lawful status may apply only for a standard driver's license. Must provide proof of identity, age, and state residence. State and local public agencies and public accommodations must accept standard licenses for all purposes for which a REAL ID license would be accepted. Standard licenses are marked "Not Intended for Federal Purposes."
NY	A3675 as amended	June 17, 2019	December 15, 2019	Driver's licenses available to individuals who provide proof of identity and age. Must provide a

	by A9508B/S7508	April 3, 2020	April 3, 2020	Social Security number or affidavit declaring that a number has not been issued to the person. Licenses shall be marked “Not for Federal Purposes” and, except as required to comply with federal law, shall be physically identical to REAL ID licenses. Application forms shall not indicate a person’s citizenship or immigration status, the documents presented to prove age or identity, or whether the individual presented an SSN or affidavit. Licenses shall not be used as evidence of a person’s citizenship or immigration status, and shall not be the basis for an investigation, arrest, or detention. Includes confidentiality and privacy provisions.
NV	SB 303	May 31, 2013	January 1, 2014	Driver authorization card available for one-year periods, for individuals who can present documents establishing proof of identity, age and residence. Distinguishable only in the minimal manner necessary to comply with REAL ID criteria. May not be used to determine eligibility for benefits.
OR	HB 2015	August 9, 2019	January 1, 2021	Applicants for a non–REAL ID driver’s license or identification card must provide proof of identity, date of birth, address, and either a Social Security number or a written statement that they have not been issued one. Non–REAL ID licenses may not be used as evidence of the holder’s citizenship or immigration status for any purpose; includes antidiscrimination, education, and outreach provisions.
PR	P C0900	August 7, 2013	August 7, 2014	Three-year provisional driver’s licenses for individuals who cannot show proof of authorized presence and who have lived in Puerto Rico for at least one year. Must present consular ID or passport. Licenses will have distinct design or color and will indicate that they are not acceptable by federal agencies for ID or other official purposes. Regulations will specify documents needed to establish identity, residence, ineligibility for a Social Security number, and will ensure that records are not used to discriminate against provisional license holders, and limiting disclosure, in the spirit of protecting confidentiality.
UT	SB 227 as amended by 2015, c. 348, § 1 and by 2016, c.29	March 8, 2005; March 30, 2015; and March 17, 2016	March 8, 2005; July 1, 2015; and May 10, 2016	One-year driving privilege card for individuals who do not present a Social Security number. Must show documents verifying identity and Utah residence. Driving privilege card is distinguished from driver’s licenses and includes the statement “FOR DRIVING PRIVILEGES ONLY—

	SB 34	March 16, 2021	May 5, 2021	NOT VALID FOR IDENTIFICATION.” Applicants must submit fingerprints to be checked against local, state and regional criminal records databases. ICE must be notified of any new or existing criminal history information or warrants disclosed in a check of those databases. The fingerprints must be kept in a separate file for future checks of the databases. The 2021 law bans the use of facial recognition technology to scan driver’s license databases, with certain exceptions, and prohibits government entities from using facial recognition systems for civil immigration enforcement.
VT	S 38 , as amended by S. 314 (June 12, 2014)	June 5, 2013	January 1, 2014	Operator’s privilege card or state ID card for individuals who cannot establish proof of legal presence, if establish name, date and place of birth. Foreign passports, consular IDs, and various documents proving Vermont residence accepted. Lawfully present individuals who are ineligible for a REAL ID–compliant license shall be eligible for an operator’s privilege card. Cards will be marked “not valid for federal identification or official purposes.”
VA	SB 34 , as amended by HB 2163 (March 30, 2021)	April 22, 2020	January 1, 2021	Driver privilege card (DPC) for individuals who do not submit the proof of citizenship or immigration status required for a REAL ID license. Applicants must have reported income from a VA source or have been claimed as a dependent on a VA tax return in the preceding 12 months. DPC confers the same privileges as other driver’s licenses unless otherwise indicated. The front will be identical to other non–REAL ID licenses; the back will be identical in appearance to the restriction on the back of a limited-duration license, permit, or special identification card. Includes confidentiality protections.
WA	HB 5008 (NOTE: driver’s licenses have been available to state residents regardless of immigration status for decades)	May 16, 2017	July 23, 2017	Except for enhanced driver’s licenses and ID cards, standard driver’s licenses and ID cards shall be marked to comply with the REAL ID Act’s requirements. Standard licenses shall be available to U.S. citizen and noncitizen state residents, regardless of their immigration status. No inferences about an individual’s citizenship or immigration status can be made based on the type of license presented, and a standard license cannot be used as a basis for investigation, arrest or detention. Applicants must present proof of identity as established by the department. Current list of

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