

7410.0400 DOCUMENTING PROOF OF NAME, DATE OF BIRTH, IDENTITY.

Subpart 1. **In general.** At the time of application for a driver's license, enhanced driver's license, permit, identification card, enhanced identification card, or vehicle certificate of title or registration by an owner who is an individual, the applicant shall present a Minnesota driver's license, enhanced driver's license, permit, Minnesota identification card, or enhanced identification card if one of these has been issued to the applicant.

A. With respect to applications for a driver's license, identification card, or vehicle certificate of title or registration by an owner who is an individual, the Minnesota driver's license, identification card, or permit must not have expired more than:

(1) five years before it is presented if it has a color photograph or electronically produced or digitized image of the applicant; or

(2) one year before it is presented if it does not have a color photograph or electronically produced or digitized image of the applicant. A temporary seven-day driver's license issued to a Minnesota-licensed driver only by the state of Minnesota under Minnesota Statutes, section 169A.52, subdivision 7, paragraph (c), clause (2), may be presented if it is not expired more than one year.

Under part 7410.0410, subpart 4a, item Q, only a valid Minnesota driver's license, valid identification card, or valid permit can be presented as proof of residency for applicants for an enhanced driver's license or enhanced identification card.

B. If the applicant for a Minnesota driver's license, enhanced driver's license, identification card, enhanced identification card, or permit possesses a driver's license, identification card, or permit from any another jurisdiction, it must be invalidated and returned to the individual.

C. As proof of full name, date of birth, and identity, the applicant for a driver's license, permit, or identification card must present one primary document and one secondary document if the applicant cannot present:

(1) a Minnesota driver's license, identification card, or permit that is current or has been expired for five years or less with a color photograph or electronically produced or digitized image; or

(2) a Minnesota driver's license, identification card, or permit that is current or has been expired for one year or less without a color photograph or electronically produced or digitized image.

D. As proof satisfactory of date of birth, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

- (1) original or certified copy of United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;
- (2) United States Department of State Consular Report of Birth Abroad (FS-240, DS-1350, or FS-545);
- (3) valid, unexpired United States passport or United States passport card;
- (4) Certificate of naturalization (Form N-550, N-570);
- (5) Certificate of citizenship (N-560, N-561);
- (6) American Indian card (Form I-872) or Minnesota tribal identification card that meets the requirements of Minnesota Statutes, section 171.072; or
- (7) United States military photo identification card issued to active, reserve, and retired military personnel only.

E. As proof satisfactory of full legal name, an applicant for an enhanced driver's license or enhanced identification card must present one document not presented for proof of identity from:

- (1) item D;
- (2) item F, except subitem (4);
- (3) item G;
- (4) item H;
- (5) part 7410.0410, subpart 4a, except items A, B, C, F, H, I, O, and P; or
- (6) part 7410.0500, subpart 2, item C.

In the case of an applicant whose full legal name does not match all other identity documents presented for an EDL or an EID under this part or under part 7410.0410, subpart 4a, the applicant must also present a document from part 7410.0500, subpart 2, item C.

F. As proof satisfactory of Social Security number, an applicant for an enhanced driver's license or an enhanced identification card must present the applicant's original Social Security card, or one of the following:

- (1) federal or Minnesota income tax form W-2;
- (2) federal or Minnesota income tax form SSA-1099;
- (3) federal or Minnesota income tax form non-SSA-1099; or

(4) United States employment computer-printed pay stub with applicant's name, address, and full Social Security number.

G. As proof satisfactory of photographic identity, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

- (1) valid Minnesota driver's license, valid identification card, or valid permit;
- (2) valid driver's license, valid identification card, or valid permit issued by another United States state, including the District of Columbia and any United States territory;
- (3) United States military identification card issued to active, reserve, and retired military personnel;
- (4) United States military dependent identification card;
- (5) valid unexpired United States passport or United States passport card;
- (6) American Indian card (Form I-872) or Minnesota tribal identification card that meets the requirements of Minnesota Statutes, section 171.072;
- (7) valid city, county, state, or federal employee identification card;
- (8) United States high school identification card with a certified transcript from the same school, both issued no more than 180 days before the EDL or EID application;
- (9) United States college or university identification card with a certified transcript from the same college or university, both issued no more than 180 days before the EDL or EID application; or
- (10) veterans universal access identification card.

H. As proof satisfactory of United States citizenship, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents:

- (1) original, certified United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;
- (2) United States Department of State Consular Report of Birth Abroad (FS-240, DS-1350, or F-545);
- (3) valid, unexpired United States passport or United States passport card;
- (4) Certificate of naturalization (N-550, N-570); or
- (5) Certificate of citizenship (N-560, N-561).

I. The individual applicant for a vehicle certificate of title or registration shall present one primary document as proof of full name and date of birth.

Subp. 1a. **Residence address on license, permit, or identification card.** A Minnesota driver's license, enhanced driver's license, permit, identification card, or enhanced identification card must be issued only to an individual who has a residence address, in the state, at the time of application. In the case of an application for an enhanced driver's license or an enhanced identification card, the applicant must provide proof of residency in accordance with part 7410.0410, subpart 4a.

A. The applicant must indicate on the application form for a Minnesota driver's license, enhanced driver's license, identification card, enhanced identification card, or permit, the applicant's residence address in the state.

B. An individual may have only one residence address where the individual is domiciled at any particular time.

C. The residence address of the individual is presumed to continue until the contrary is shown.

D. The applicant shall indicate a residence number, street name, street type, directional if any, city or town, state, and zip code.

Subp. 1b. **Physical description.** When applying for a driver's license, enhanced driver's license, identification card, enhanced identification card, or permit, the individual must indicate on the application form, the individual's height in feet and inches, weight in pounds, eye color, and sex.

Subp. 2. **Primary documents.** If the applicant for a driver's license, permit, or identification card, or an individual who is applying as the owner for a vehicle title or registration, cannot present a Minnesota driver's license, identification card, or permit, as described in subpart 1, item C, then the applicant must present one legible, unaltered, primary document that contains the applicant's full name and date of birth as proof of name, date of birth, and identity, which are described as follows:

A. A copy of the applicant's record of birth certified by the issuing government jurisdiction of the United States, District of Columbia, Guam, Puerto Rico, or United States Virgin Islands may be presented if it satisfies the following conditions:

(1) A record of birth issued by a hospital or a baptismal certificate is not acceptable.

(2) The certified copy of the record of birth must bear the raised or authorized seal of the issuing government jurisdiction or a protective equivalent.

(3) The certified record of birth must be issued by:

(a) a government bureau of vital statistics or board of health;

(b) the United States Department of State as a Record of Birth Abroad (FS-545, DS-1350); or

(c) a United States embassy as a Report of Birth Abroad of A United States Citizen (FS-240).

(4) Instead of a certified copy of a birth record issued by a United States government bureau of vital statistics or by a board of health, an original certificate is acceptable only if it is in the files of the bureau or board and can be readily viewed by the official accepting the application.

B. A certified copy of an adoption certificate with the applicant's full name and date of birth from a United States court of competent jurisdiction that bears the raised court seal or other court certification may be presented.

C. An unexpired identification card (Form DD-2 or Common Access Card) issued to the applicant by the United States Department of Defense for active duty, reserve, or retired personnel may be presented.

D. A valid unexpired passport issued to the applicant by the United States Department of State may be presented.

E. An applicant or owner may present a valid, unexpired passport issued to the applicant from a jurisdiction other than the United States Department of State with either:

(1) a United States Department of Justice or United States Department of Homeland Security Arrival and Departure Form I-94 attached, bearing the same name as that on the passport and containing an unexpired endorsement of the alien's nonimmigrant status or authorized presence or an expired Form I-94 together with a Form I-797 accepted by the United States Department of Justice or the United States Department of Homeland Security within the past one year for an extension or change of the alien's nonimmigrant status or authorized presence, or a Form I-94 endorsed "D/S" together with an unexpired Form I-20 or Form DS-2019; or

(2) an unexpired I-551 stamp.

F. An applicant or owner may present a Canadian birth certificate or Canadian naturalization certificate with a United States Department of Justice or a United States Department of Homeland Security Arrival and Departure Form I-94 attached, bearing the same name as that on the Canadian birth certificate or Canadian naturalization certificate and containing an unexpired endorsement of the alien's nonimmigrant status or authorized presence. The applicant or owner must also present a secondary document as described in

subpart 3, issued by a Canadian government agency and containing a photograph or image of the applicant.

G. An applicant or owner may present one of the following documents issued by the United States Department of Justice or the United States Department of Homeland Security or any subsequent form or version of the documents specified in this item:

- (1) Certificate of Naturalization (Form N-550, N-570, N-578);
- (2) Certificate of Citizenship (Form N-560, N-561, N-645);
- (3) United States Citizen Identification card (Form I-179 or I-197);
- (4) Permanent Resident or Resident Alien card (Form I-551 or I-151) that is valid and not expired;
- (5) Northern Mariana card (Form I-873 with "Northern Mariana" imprinted instead of "Resident Alien");
- (6) American Indian card (Form I-872 with "American Indian" imprinted instead of "Resident Alien");
- (7) employment authorization document with a photograph (Form I-688, I-688A, I-688B, or I-766) that has not expired; or
- (8) unexpired Re-entry Permit/Refugee Travel Document (I-571).

Subp. 3. **Secondary documents.** If an applicant for a driver's license, permit, or identification card cannot present a Minnesota driver's license, identification card, or permit, as described in subpart 1, item C, then, in addition to presenting a primary document, the applicant must also present a secondary document, described as follows:

- A. a second primary document listed in subpart 2;
- B. a driver's license, identification card, or permit, with a photograph or digitized image, issued by a United States state other than Minnesota, or by the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands, or a Canadian province or territory, that has expired not more than five years, or that is current;
- C. a certified copy of a court order or judgment from a United States or Canadian court of competent jurisdiction containing the applicant's full name and date of birth and bearing the raised court seal or other court certification;
- D. a current United States or Canadian government jurisdiction employee photo identification card;
- E. a certified copy of a record of birth issued by a government jurisdiction other than one in the United States, the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands;

F. a current identification card or document issued to the applicant by the United States Department of Defense, described as:

- (1) DD-1173 series, for dependents of active duty personnel; or
- (2) DD-214, Certificate of Release or Discharge;

G. a copy of a marriage certificate certified by the issuing government jurisdiction, or the original certificate only if it is in the files of the issuing jurisdiction and can be readily viewed by the official accepting the application;

H. an unexpired permit to carry a firearm or concealed weapon issued by a chief of police in an organized, full-time United States Police Department or by a United States County Sheriff, bearing a color photo of the applicant;

I. a current pilot's license issued by the United States Department of Transportation, Federal Aviation Administration;

J. a copy of a transcript containing the applicant's legal full name and date of birth certified by the issuing secondary or postsecondary school;

K. a United States nonmetal Social Security card or a Canadian social insurance card; or

L. a current secondary school student identification card with the student's name, a photograph or electronically produced image of the student, and the student's date of birth or unique student identification number.

Subp. 3a. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance of and authenticity of the primary or secondary document presented.

A. Verification is required if:

- (1) the document provided by the applicant is inconsistent with the department record;
- (2) the document provided by the applicant appears to be altered or fraudulent;
- (3) there is reason to believe the applicant is not legally present in the United States; or
- (4) there is reason to believe the applicant is not who the applicant claims to be.

B. If a document is presented that cannot be verified, notice of refusal shall occur in accordance with the procedures in part 7410.0425.

C. This subpart applies to an applicant for an enhanced driver's license or enhanced identification card.

Subp. 4. **Identification of owners other than individuals.** The agent or employee applying for a vehicle certificate of title or registration for a person other than an individual must provide a Minnesota driver's license at the time of application if the agent or employee holds one.

Subp. 5. **Non-English documents; translation.** For all documents submitted to the department in a language other than English:

A. The document must be accompanied by a translation of that document into the English language.

B. The translation must be sworn to by the translator as being a true and accurate translation.

C. The translator must not be related by blood or marriage to the applicant.

D. The translator must be either:

(1) accredited by the American Translators Association;

(2) recognized by the Minnesota Translation Laboratory;

(3) certified by a court of competent jurisdiction;

(4) approved by an embassy or consulate of the United States or diplomatic or consular official of a foreign country assigned or accredited to the United States;

(5) affiliated with or approved by the United States Citizenship and Immigration Services, or a government jurisdiction within the United States;

(6) an attorney licensed to practice in the United States or affiliated with that attorney; or

(7) a vendor listed to provide translation service for the state of Minnesota.

Statutory Authority: *MS s 14.06; 14.131 to 14.20; 168.10; 168.105; 168A.04; 168A.24; 171.01; 171.02; 171.03; 171.04; 171.06; 171.061; 171.07; 171.071; 171.10; 171.14; 299A.01; L 2010 c 316 s 17*

History: *9 SR 1252; 23 SR 832; 25 SR 616; L 2000 c 478 art 2 s 7; L 2001 1Sp9 art 15 s 32; 28 SR 314; L 2007 c 13 art 1 s 25; 36 SR 1353*

Published Electronically: *May 30, 2012*