

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Driver License Bureau Rules

PROPOSED AMENDMENT

12 CSR 10-24.448 Documents Required for Issuance of a Driver License, Nondriver License, or Instruction Permit. The Department of Revenue is amending section (1), adding a new section (3), and renumbering as necessary.

PURPOSE: This amendment expands the Social Security document requirements to permit verbal presentation of Social Security Number, allows for a previously issued driver license to be used as proof of residency for a REAL ID, and authorizes an opt-in process for longer retention of REAL ID source documents.

(1) All applicants for a driver license, nondriver license, or instruction permit must provide one (1) or more documents, in English, that comply with each subsection below.

(A) Proof of Lawful Status:

1. U.S. Citizens who have previously verified their status as a U.S. Citizen and the license record indicates such verification may be required to show proof upon subsequent applications. Documents acceptable to provide proof of lawful status include the following:
 - A. U.S. Birth Certificate: a certified copy with an embossed, stamped, or raised seal and filed with a State Office of Vital Statistics or equivalent agency in the applicant's state of birth. Hospital certificates are not acceptable forms of documentation;
 - B. U.S. Passport: a valid, unexpired U.S. Passport;
 - C. U.S. Passport Card: a valid, unexpired U.S. Passport Card;
 - D. U.S. Certificate of Citizenship;
 - E. U.S. Certificate of Naturalization;
 - F. Consular Report of Birth Abroad issued by the U.S. Department of State Form FS-240, DS-1350, or FS-545;
 - G. U.S. Military Identification Card: a valid, unexpired U.S. Military Identification Card accompanied by a copy of a U.S. Birth Certificate. This proof of lawful status may not be acceptable for issuance of a REAL ID compliant document per 6 C.F.R. Section 37 and section 302.170, RSMo; or
 - H. U.S. Military Discharge Papers accompanied by a copy of a U.S. Birth Certificate. This proof of lawful status may not be acceptable for issuance of a REAL ID compliant document per 6 C.F.R. Section 37 and section 302.170, RSMo;
2. Non-U.S. Citizens present the appropriate valid, unexpired immigration documents, upon each application, indicating lawful immigration status in the United States and supporting documents to validate classification and duration of stay. Documents acceptable to provide proof of lawful status include the following:
 - A. I-327 – Reentry Permit;
 - B. I-551 – Permanent Resident Card;

- C. I-571 – Refugee Travel Document;
- D. I-589 – Proof of application for asylum in the U.S.;
- E. Valid, Unexpired Employment Authorization Document;
- F. Valid Foreign Passport stamped approved or processed for an I-551;
- G. Unexpired I-94 stamped “Processed for I-551”
- H. I-797 – Notice of Action Approval accompanied by other U.S. Citizenship and Immigration Services (USCIS) documents; or
- I. Other documentation issued by DHS or other Federal agencies demonstrating lawful status may be acceptable when validated by USCIS and approved for purposes of proving lawful status.

Some valid, unexpired immigration documents may not be acceptable for the issuance of a REAL ID-compliant document per 6 C.F.R. Section 37 and section 302.170, RSMo. Some classes of admission codes may not be eligible to receive a REAL ID-compliant or non-compliant driver license, nondriver license, or instruction permit including, but not limited to, the following: A-1, A-2, B-1, B-2, W-B, and W-T.

(B) Proof of Identity: Documents used for purposes of proving identity must contain the applicant’s full legal name, date of birth, and match the person’s current name unless a change of name is established by a marriage certificate, marriage license, amended birth certificate, divorce decree, or other court order. Only original documents or a photocopy, bearing an original certification by the issuing authority is acceptable.

1. In addition to the documents referenced in (1)(A)1.A.–F. above, the following documents may be used to establish proof of identity:

- A. Permanent Resident Card: a valid, unexpired Permanent Resident Card;
- B. Valid Foreign Passport stamped approved or processed for an I-551;
- C. Unexpired I-94 stamped “Processed for I-551”;
- D. I-766 and I-688B – an unexpired Employment Authorization Document (EAD);
- E. An unexpired foreign passport with a valid, unexpired U.S. Visa affixed accompanied by the approved I-94;
- F. Real ID-compliant driver license, non[-]driver license, or instruction permit.

2. For purposes of issuing a non-REAL ID-compliant duplicate driver license, nondriver license, or temporary permit document, in addition to the documents referenced in paragraph (1)(B)1., the following documents may be used to establish proof of identity:

- A. Student Identification card;
- B. U.S. Military Identification card;
- C. Work Identification card [./]; **and**
- D. Expired Missouri driver license, nondriver license, or instruction permit.**

(C) Proof of Social Security Number:

[Applicants who have previously verified their Social Security number, and the license record indicates such verification, may be required to show proof upon subsequent applications.] **Applicants who have record of a previously verified Social Security number on file with the department may provide the Social Security number verbally at the time of application. However, the department may still require the applicant to provide a physical document to verify the Social Security number upon request.** The following documents may be used to establish proof of Social Security number:

- 1. Social Security card;

2. W-2 Form;
3. 1099 – Form; **or**
4. Payroll stub which includes the applicant’s name and Social Security Number.

Applicants that cannot obtain, or are not eligible for, a Social Security number due to their work-authorization status must provide a letter from the Social Security Administration indicating a [s/Social [s/Security number will not be issued to them.

(D) Proof of Missouri Residency:

“Residence address,” “residence,” or “resident address” is defined as the location at which a person has been physically present, and that the person regards as home. A residence address is a person’s true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere. A post office box is not allowed as a residential address.

1. Documents acceptable to verify Missouri residency must be the most recently issued credential. Examples include, but are not limited to, the following:

- A. Utility Bill;
- B. Paycheck or Government Check;
- C. Mortgage, Housing, or Leasing Document;
- D. Tax Records;
- E. Voter Registration Card;
- F. Property Tax Receipt;
- G. Bank Statement;
- H. School or College Records;
- I. Vehicle Insurance Policy;
- J. Medical or Hospital Bill or Record; *[and]*
- K. Correspondence from Recognized Organizations $[.]$; **and**
- L. Correspondence from the State of Missouri.**

2. For applicants under the age of twenty- one (21):

A. A parent or legal guardian may provide one (1) of the documents listed above and a written statement that specifies the applicant resides in their household as proof of residential address for the applicant; or

B. Applicants under the age of twenty- one (21) may also present any document below which clearly indicates their full name and residential address. Examples of other acceptable residential address verification documents for applicants under the age of twenty-one (21) include recent $[:]$ —

- (I) Missouri School records;
- (II) Mailed correspondence from a hospital or medical practitioner, including physician billing statements and insurance statements; **or**
- (III) Mailed correspondence issued by organizations such as $[:]$ —
 - (a) Boy Scouts of America;
 - (b) Girl Scouts of America;
 - (c) Boys and Girls Club of America;
 - (d) Missouri Department of Conservation; or
 - (e) Mailed correspondence from other well-established organizations or programs containing the name and address of the applicant.

Applicants must present one (1) document proving Missouri residency for purposes of issuing a non-REAL ID-compliant driver license, nondriver license, or instruction permit.

Applicants must present two (2) documents proving Missouri residency, from two (2) different issuing sources, for purposes of issuing a REAL ID-compliant driver license, nondriver license, or instruction permit. **Applicants may present their current, unexpired Missouri driver license, nondriver license, or instruction permit for purposes of meeting one of the two documents required for issuance of a REAL ID-compliant document.** Applicants requesting a separate mailing address for a REAL ID-compliant or non- REAL ID-compliant document must present one (1) additional document as proof that the mailing address is valid.

(3) Applicants may expressly request and authorize the department to retain their source documents for a period of time greater than 10 years.

[[3]] (4) For purposes of the fee waiver contained in section 302.185, RSMo, applicants may not be eligible for a duplicate license if they are applying within their renewal period, which is six (6) months (184 days) before or after the expiration date of a previously issued non-REAL ID-compliant driver license or nondriver license.

[[4]] (5) Applicants issued a nondriver license for voting purposes at no cost pursuant to section 115.427, RSMo, will be required to pay any applicable fees to apply for and obtain a duplicate REAL ID-compliant nondriver license.

[[5]] (6) Applicants seventy (70) years of age or older desiring to obtain a REAL ID-compliant nondriver license will be issued a six- (6-) year nondriver license in lieu of a nonexpiring nondriver license issued pursuant to section 302.181, RSMo, provided they meet all other requirements contained in Chapter 302, RSMo.

*AUTHORITY: sections 302.130, 302.171, 302.177, 302.181, 302.720, and 302.735, RSMo 2016, and section 302.170, RSMo Supp. 2018. * Original rule filed March 27, 1998, effective Sept. 30, 1998. Emergency amendment filed Dec. 16, 2002, effective Dec. 26, 2002, expired June 23, 2003. Amended: Filed Dec. 16, 2002, effective May 30, 2003. Emergency amendment filed June 21, 2005, effective July 1, 2005, expired Dec. 28, 2005. Amended: Filed June 21, 2005, effective Dec. 30, 2005. Amended: Filed July 31, 2018, effective March 4, 2019. *Original authority: 302.130, RSMo 1939, amended 1951, 1989, 1991, 1995, 1997, 1998, 1999, 2001, 2002, 2004, 2006, 2012; 302.170, RSMo 2017, amended 2018; 302.171, RSMo 1951, amended 1955, 1984, 1989, 1991, 1995, 1996, 1997, 1999, 2000, 2003, 2004, 2006, 2007, 2008, 2009, 2014; 302.177, RSMo 1951, amended 1955, 1965, 1971, 1984, 1989, 1999, 2001, 2004, 2005, 2008; 302.181, RSMo 1939, amended 1951, 1961, 1971, 1973, 1979, 1984, 1986, 1989, 1991, 1992, 1995, 1996, 1999, 2004, 2011, 2013; 302.720, RSMo 1989, amended 1995, 2002, 2004, 2006, 2007, 2008, 2013; and 302.735, RSMo 1989, amended 1999, 2001, 2004, 2005, 2008, 2009, 2013.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*