

735-010-0130

Establishment and Use of Full Legal Name by an Individual

All of the following apply to establishment and use of a full legal name by an individual:

(1) An applicant for an Oregon driver license, driver permit or identification card, shall establish his or her full legal name as supported by one or more documents proving identity and date of birth required under OAR 735-062-0020 or proof of current legal name under OAR 735-062-0014.

(2) When conducting any business with DMV, including but not limited to obtaining driving privileges, an identification card, vehicle title and vehicle registration, an individual shall use only his/her full legal name.

(3) If an individual has not established a full legal name as provided in section (1) of this rule, DMV will use the name on his or her customer record as his or her name for vehicle title and registration purposes. An individual who is shown on any application for title as provided in ORS 803.050, any application for salvage title as provided under 803.140 or any transitional ownership record as defined in 801.562, shall use his/her full legal name.

(4) An individual shall use the same name in conducting all business with DMV. The individual must also provide the DMV-assigned customer number shown on the driver license, driver permit or identification card, if known.

(5) An individual's full legal name shall not include a title or honorific such as, but not limited to, Mr., Mrs., Reverend or Doctor.

Stat. Auth.: ORS 184.616, 184.619 and 802.010

Stats. Implemented: ORS 801.562, 803.015, 803.050, 803.140, 803.220, 803.370, 807.050, 807.420, 807.560, 809.135, 821.080 and 2008 OL Ch 1

735-062-0014

Proof of Legal Name

(1) If the applicant's current legal name is different from the name in the document submitted to prove legal presence pursuant to OAR 735-062-0015, the applicant must provide proof of the applicant's current legal name sufficient to establish that he or she is the same person named in the document submitted as proof of legal presence.

(2) There must be sufficient connection between information shown on the legal presence document and the proof of the applicant's current legal name for DMV to determine that the applicant is the person named in the legal presence document. Examples of connecting information include first name, middle name or middle initial, previous surnames used, date of birth, place of birth, social security number or mother's maiden name.

(3) DMV may accept the following as proof of the applicant's current legal name:

(a) An identity document listed in OAR 735-062-0020.

(b) DMV may use the applicant's DMV record to establish connection between the identity document and the legal presence document or if the applicant has lost, misplaced or otherwise does not possess the Oregon driver license or identification card issued to the applicant. The DMV record is proof of the applicant's full legal name (shown on the last issuance of a driver license, driver permit or identification card) as established under OAR 735-010-0130.

(4) If the applicant's proof of legal name does not establish the applicant is the same person named in the document submitted as proof of legal presence, or the applicant's identity document or DMV record do not show the person's current legal name, the applicant must provide documentary proof of a legal name change. Documentary proof of an applicant's legal

name change may include, but is not limited to: an official government-issued marriage document, a divorce decree, a certificate of registered domestic partnership, a judgment of dissolution or annulment of marriage or domestic partnership, an adoption decree, and a court decree, order or judgment legally changing the applicant's name.

Stat. Auth.: ORS 184.616, 184.619, 802.010, OL 2008, Ch 1
Stats. Implemented: OL 2008, Ch 1

735-062-0015

Proof of Legal Presence

(1) Except as provided in OAR 735-062-0032 and 735-062-0033, a person who applies for any original, renewal or replacement driver permit, driver license, or identification card must provide valid documentary proof that the person is a citizen or permanent legal resident of the United States or is otherwise legally present in the United States in accordance with federal immigration laws. The documents provided must be either original or certified copies.

(2) Documents acceptable as proof of U.S. citizenship include, but are not limited to:

(a) A birth certificate issued by a U.S. Territorial government or the government of a state or political subdivision of a state of the United States. DMV will not accept a hospital-issued birth certificate, hospital card or birth registration or baptismal certificate.

(b) U.S. Consular Report of Birth Abroad (FS-240).

(c) U.S. government-issued Certification of Report of Birth (DS-1350 or FS-545).

(d) Request for Verification of Birth (DD372).

(e) United States passport, not expired more than five years.

(f) United States passport card, not expired more than five years.

(g) U.S. territory passport, not expired more than five years.

(h) Tribal ID card from a federally recognized tribe located in Oregon or a federally recognized tribe with an Oregon affiliation, if DMV determines:

(A) The procedures used in issuing the card are sufficient to prove that a member is legally present in the United States; and

(B) The card contains security features that are sufficient to prevent alteration or counterfeiting of the card.

(i) Certificate of Citizenship (N560 and N561).

(j) Certificate of Naturalization (N550, N570 and N578).

(3) Documents acceptable as proof of permanent legal residence in the U.S include, but are not limited to: Resident Alien card; Permanent Resident card (I-551); or a Permit to Re-Enter (I-327).

(4) Documents acceptable as proof that a person who is not a citizen or permanent legal resident of the United States is legally present in the United States include, but are not limited to:

(a) Valid foreign passport, not expired, with appropriate Arrival/Departure Record (I-94 or CBP I-94A) or a valid I-797 Notice of Action issued by the Department of Homeland Security or Custom and Border Protection.

(b) Federated States of Micronesia (FSM) passport (containing I-94), not expired more than five years.

(c) U.S. Department of Homeland Security issued documents, not expired, including:

(A) Temporary Resident ID card (I-688);

(B) Employment Authorization card (I-688A, I-688B and I-766); or

(C) Refugee Travel Document Form I-571.

(5) An applicant who must obtain a document in order to provide proof of legal presence may apply for an applicant temporary driver permit as described in OAR 735-062-0032 that will provide driving privileges for a limited time or an applicant temporary identification card as described in OAR 735-062-0033.

Stat. Auth.: ORS 184.616, 184.619, 802.010, OL 2008, Ch 1
Stats. Implemented: OL 2008, Ch 1

735-062-0020

Proof of Identity and Date of Birth Requirements

(1) A person who applies for an original, renewal or replacement driver permit, driver license, or identification card must provide valid documentary proof of the person's identity and date of birth prior to the issuance of such driver permit, driver license, or identification card. Documents must be original or certified copies.

(2) Documents acceptable as proof of identity and date of birth include, but are not limited to:

(a) Any document that provides proof of legal presence as provided in OAR 735-062-0015.

(b) U.S. Military documents including:

(A) Military or Armed Forces ID card;

(B) Military Common Access Card; or

(C) U.S. Uniform Services ID and Privileges card (DD1173 and DD1173-1).

(c) Tribal ID card from a federally recognized tribe located in Oregon or a federally recognized tribe with an Oregon affiliation if DMV determines:

(A) The procedures used in issuing the card are sufficient to prove a member's identity and date of birth; and

(B) The card contains security features that are sufficient to prevent alteration or counterfeiting of the card.

(d) Canadian Government Issued Birth Certificate;

(e) Out-of-state, District of Columbia, U.S. Territorial government or Canadian driver license, instruction permit or identification card, that contains the applicant's photograph, not expired more than one year unless hole-punched or marked "Not Valid as ID."

(f) Oregon driver license, instruction permit, or identification card, not expired more than one year. For the purposes of this subsection, DMV will not accept a driver license that was issued without a photograph.

(g) U.S. Department of State driver license or Non-driver ID card not expired more than one year.

(h) Oregon Concealed Weapon Permit/Concealed Handgun License, not expired more than one year.

(i) A letter verifying identity provided by an Oregon County Community Corrections agency if:

(A) DMV determines the procedures used in issuing the letter are reasonably equivalent to DMV standards for verification of a person's age and identity; and

(B) The letter contains security features that are sufficient to prevent alteration or counterfeiting of the letter.

(j) A letter verifying identity provided by the U.S. Pretrial Services if:

(A) DMV determines the procedures used in issuing the letter are reasonably equivalent to DMV standards for verification of a person's age and identity; and

(B) The letter contains security features that are sufficient to prevent alteration or counterfeiting of the letter.

(k) A letter verifying identity provided by the Oregon Youth Authority Agency if:

(A) DMV determines the procedures used in issuing the letter are reasonably equivalent to DMV standards for verification of a person's age and identity; and

(B) The letter contains security features that are sufficient to prevent alteration or counterfeiting of the letter.

(L) A letter verifying identity provided by a U.S. District Court Probation Office if:

(A) DMV determines the procedures used in issuing the letter are reasonably equivalent to DMV standards for verification of a person's age and identity; and

(B) The letter contains security features that are sufficient to prevent alteration or counterfeiting of the letter.

(m) Oregon Department of Correction Release Identification card, issued after April 30, 2005.

(3) DMV will not accept a document as proof of identity and date of birth if DMV has reason to believe the document is not valid. DMV may request an applicant for a driver permit, driver license, or identification card to present additional documentary proof of identity and date of birth if the document presented does not establish the applicant's identity or date of birth to the satisfaction of DMV.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 807.050, 807.150 and 807.400

Stats. Implemented: ORS 807.050, 807.062, 807.150, 807.160, 807.220, 807.230 and 807.280