**R708. Public Safety, Driver License.**

**R708-41. Requirements for Acceptable Documentation, Storage, and Maintenance.**

**R708-41-1. Purpose.**

The purpose of this rule is to:

(1) define acceptable documentation for:

(a) a driver license certificate or identification card;

(b) honorable or general discharge from the United States military; and

(c) establishing homelessness as verified by the Department of Workforce Services to prove residency and obtain a fee waiver for an identification card; and

(2) establish procedures for storage and maintenance of those documents pursuant to Title 53, Chapter 3, Uniform Driver License Act.

**R708-41-2. Authority.**

This rule is authorized by Section 53-3-104.

**R708-41-3. Definitions.**

(1) Terms used in this rule are defined in Section 53-3-102.

(2) In addition:

(a) "acceptable document" means an original document, or a copy of an original document certified by the issuing agency, that the division shall accept for determining the validity of information submitted for a license certificate or identification card application;

(b) "alternate document" means a document that may be accepted when the applicant cannot present the necessary documents to establish identity or date of birth as required for a license certificate or identification card application;

(c) "covered humanitarian parolee" means a person who is a citizen and national of Afghanistan who has been paroled into the United States between July 31, 2021, and September 30, 2022, and certain immediate family members who have been paroled into the United States after September 30, 2022;

(d) "DHS" means the Department of Homeland Security;

(e) "exception process" means a written, defined process for persons who are unable to present the necessary documents and must rely on alternate documents to establish identity, date of birth, or US citizenship;

(f) "identity document" means an original, government-issued document that contains identifying information about the subject of the document;

(g) "full legal name evidence" means the name established on an identity document;

(h) "ITIN" means an individual tax identification number;

(i) "ITIN evidence" means an official document used to verify an individual's assigned individual tax identification number;

(j) "lawful presence or status" means that an individual's presence in the United States does not violate state or federal law;

(k) "lawful presence or status evidence" means a document issued by the federal government or approved by DHS, or the division director or designee, that shows legal presence of an individual;

(l) "SAVE" means the Systematic Alien Verification for Entitlements system;

(m) "SAVE verification" means verification of a document issued by the federal government through DHS, SAVE, or such successor or alternate verification system approved by the Secretary of Homeland Security;

(n) "SSN" means a social security number issued by the Social Security Administration;

(o) "SSN evidence" means an official document used to verify an individual's social security number;

(p) "SSOLV" means the social security online verification system;

(q) "Utah residence address" means the place where an individual has a fixed permanent home and principal establishment in Utah and where the individual voluntarily resides, that is not for a special or temporary purpose;

(r) "Utah residence address evidence" means a document that displays the applicant's name and principal Utah residence address;

(s) "veteran indicator" means the word VETERAN added to a driver license certificate or identification card during the application process at the applicant's request upon the applicant providing proof of an honorable discharge or general discharge under honorable conditions from the United States military.

**R708-41-4. Acceptable Forms of Identity Documents.**

(1) The division has identified the following documents as acceptable forms of identity documents:

(a) a valid, unexpired United States passport or passport card;

(b) a certified copy of a birth certificate filed with the State Office of Vital Statistics or equivalent agency in the individual's state of birth;

(c) Consular Report of Birth Abroad forms FS-240, DS-1350 or FS-545, issued by the United States Department of State;

(d) a valid, unexpired Permanent Resident Card;

(e) a valid, unexpired Conditional Permanent Resident Card;

(f) a Temporary Stamp Visa or Temporary Admittance Document form I-551;

(g) a Certificate of Naturalization issued by DHS, form N-550 or form N-570;

(h) a Certificate of Citizenship, form N-560 or form N-561, issued by DHS;

(i) a regular driver license, commercial driver license, or identification card that has been issued by the Utah Driver License Division on or after January 1, 2010, which is only acceptable for renewal or duplicate certificates and may provide evidence of both lawful presence and identity;

(j) an unexpired Employment Authorization Document, or EAD, issued by DHS, form I-766, or form I-688B verified through the SAVE system;

(k) an unexpired foreign passport with documentary evidence of the applicant's most recent admittance into the United States verified through SAVE;

(l) a foreign birth certificate or unexpired foreign passport, including a certified translation if the document is not in English; or

(m) alternate documents may be accepted if approved by DHS or the division director or designee.

(2) Individuals applying for a driving privilege card are required to submit one of the identity documents listed in Subsection R708-41-4(1), in addition to one of the following:

(a) church records;

(b) court records;

(c) driver license;

(d) employee identification card;

(e) insurance identification card;

(f) matricular consular card issued in Utah;

(g) Mexican voter registration card;

(h) school records;

(i) Utah DPC; or

(j) other evidence considered acceptable by the division director or designee.

**R708-41-5. Acceptable Forms of Lawful Presence or Status Evidence.**

The division has identified the following documents as acceptable forms of lawful presence or status evidence:

(1) documents listed in Subsections R708-41-4(1)(a) through R708-41-4(1)(i);

(2) a document issued by the federal government that verifies lawful entrance into the United States verified through SAVE;

(3) unexpired immigrant or nonimmigrant visa status for admission into the United States issued by the federal government;

(4) pending or approved application for asylum in the United States;

(5) admission into the United States as a refugee;

(6) pending or approved application for temporary protected status in the United States;

(7) approved deferred action status;

(8) pending application for adjustment of status to legal permanent resident or conditional resident; or

(9) proof of covered humanitarian parolee status.

**R708-41-6. Acceptable Forms of Social Security Number Evidence.**

(1) The division has identified the social security card issued by the federal government that has been signed by the applicant as an acceptable form of SSN evidence.

(2) The applicant may present one of the following documents that displays the applicant's name and SSN if the social security card under Subsection (1) is not available:

(a) W-2 form;

(b) SSA-1099 form;

(c) non SSA-1099 form;

(d) pay stub showing the applicant's name and full SSN;

(e) ineligibility letter from the Social Security Administration; or

(f) other documents approved by DHS or the division director or designee.

**R708-41-7. Acceptable Forms of Individual Tax Identification Number (ITIN) Evidence.**

The division has identified the following documents as acceptable forms of ITIN evidence:

(1) an ITIN card issued by the Internal Revenue Service; or

(2) a document or letter from the Internal Revenue Service verifying the ITIN.

**R708-41-8. Acceptable Forms of Utah Residence Address Evidence.**

(1) The division has identified the following documents as acceptable forms of Utah residence:

(a) bank statement;

(b) court documents;

(c) current mortgage or rental contract;

(d) major credit card bill;

(e) property tax notice statement or receipt;

(f) school transcript;

(g) utility bill;

(h) vehicle title;

(i) proof of enrollment in the Safe at Home Program;

(j) youth fee waiver indicating the applicant is in the custody of the Division of Child and Family Services; or

(k) other documents acceptable to the division upon review.

(2) The division may review residency evidence dated over 90 days before acceptance.

(3)(a) An individual using a letter of verification of homelessness verified by the Department of Workforce Services may be eligible for a waiver of the fee for an identification card.

(b) The division shall accept the verification letter as acceptable evidence for Utah residency.

(4)(a) The division may authorize the sponsoring agency of an individual under temporary care, custody, or treatment of a government, public, or private business, to sign an affidavit verifying the residence of the applicant.

(b) The division shall recognize the sponsoring agency's address as the Utah residence address of the applicant, upon approval of the division director or designee.

(5) The division shall allow an individual who is in the state's legal custody to use the address of a local Division of Child and Family Services as proof of residency.

**R708-41-9. Acceptable Forms to Obtain Veteran Indicator.**

The division has identified the following documents as acceptable proof of an honorable discharge or general discharge under honorable conditions from the United States military:

(1) DD214, certificate of release or discharge of duty;

(2) DD256, honorable discharge certificate;

(3) DD257, general discharge certificate;

(4) NGB22, report of separation and record of service; or

(5) other documents approved by the division director or designee.

**R708-41-10. Document Requirements.**

(1) The division may choose not to accept a document submitted under this rule if the document appears to be:

(a) duplicated;

(b) traced over;

(c) mutilated;

(d) defaced;

(e) tampered with;

(f) damaged;

(g) altered in any manner; or

(h) illegible.

(2) An applicant shall ensure documents submitted under this rule display the applicant's full legal name; and

(3)(a) An applicant submitting documents under this rule with any variation of the name on an original or certified document shall also submit the legal authorizing documentation

(b) The division may consider the name established on the division's database to be the full legal name of the applicant unless otherwise determined by the division.

(4) An applicant for any license certificate or identification card requesting a change of the applicant's full legal name must submit an acceptable document that authorizes the name change.

(5) The issuing agency of a document shall certify any copy of an original document.

**R708-41-11. Exceptions.**

The division may not apply this rule when issuing driver license certificates or identification cards in support of federal, state, or local criminal justice agencies or other programs that require special licensing or identification or safeguard the persons or in support of their official duties.

**R708-41-12. Document Storage.**

(1) The division shall image, and store documents submitted by an applicant during a license or identification card application process that was provided for proof of:

(a) identity;

(b) lawful presence;

(c) SSN;

(d) ineligibility to obtain an SSN;

(e) ITIN;

(f) address verification; and

(g) proof of name change.

(2) The division may write the information displayed on a United States birth certificate on the license or identification card application rather than scanning the document, at the request of the applicant.

**KEY: acceptable documents, identification cards, license certificates, limited-term license certificates**

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