

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 17 MOTOR VEHICLE ADMINISTRATION — DRIVER [LICENSING] LICENSE AND IDENTIFICATION [DOCUMENTS] CARD

Chapter 21 Proof of Age, Name, Identity, and Residency for Federally Noncompliant Driver Licenses and Identification Cards

***Authority: Transportation Article, §§12-104(b), 12-301, 16-103.1, 16-104.2, 16-106, 16-115,
16-121—16-122, Annotated Code of Maryland***

.01 Purpose and Application.

The purpose of this chapter is to identify the documents acceptable to the Administration as proof of age, name, identity, and Maryland residence for the issuance of a federally noncompliant Maryland license or identification card as set forth in Ch. 309, Acts of 2013.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Administration" means the Motor Vehicle Administration.

(2) "Identification card" means a photo identification card issued under Transportation Article, § 12-301, Annotated Code of Maryland.

(3) "Individual taxpayer identification number (ITIN)" means a tax processing number issued by the Internal Revenue Service.

(4) License.

(a) "License" means an original, renewal, duplicate, or corrected driver's license or permit to drive a motor vehicle issued by the Administration; and

(b) "License" includes a:

(i) Learner's instructional permit;

(ii) Moped operator's permit;

(iii) Provisional license; or

(iv) *Commercial driver's license.*

(5) *"Name" has the meaning stated in Transportation Article, §11-137, Annotated Code of Maryland.*

(6) *"Noncompliant" means a license or identification card not acceptable by federal agencies for official purposes.*

(7) *"Renewal" means a license or identification card issued to replace an expiring license or identification card.*

(8) *"Residence" has the meaning stated in Transportation Article, §11-149, Annotated Code of Maryland.*

(9) *"SSN" means Social Security number issued by the Social Security Administration.*

(10) *"Source document" means the original or a certified copy of a document acceptable to the Administration that is submitted by an applicant for a license or identification card.*

(11) *"State" means any state, possession, or territory of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province or territory of Canada.*

.03 Applicant's Requirements.

A. An applicant requesting a noncompliant Maryland license or noncompliant Maryland identification card shall provide documentation acceptable to the Administration as specified in this chapter. The documentation shall provide proof of:

(1) Age, name, and identity as set forth in Regulation .04A of this chapter;

(2) Residency as set forth in Regulation .04B of this chapter; and

(3) Maryland income tax filings for the preceding 2 years certified by the Maryland Comptroller's Office.

B. The applicant shall:

(1) Certify under penalty of perjury that the information provided in the application is true and correct; and

(2) Pay any applicable fees set forth in COMAR 11.11.05.03.

.04 Source Documents for Proof of Age, Name, Identity, and Residence.

A. An applicant, to establish proof of age, name and identity, shall submit a valid, unexpired passport or a valid unexpired consular ID document, meeting the issuance standards established by the Administration.

B. If an applicant is unable to provide the documentation required by §A, the applicant shall submit two of the following, accompanied by an English translation, one of which shall contain a photo not more than eight years old;

(1) Foreign (non-U.S.) drivers license;

(2) Original or certified copy foreign (non-U.S.) civil birth certificate;

(3) National identification card or national voter card displaying applicant's photo, name, date of birth;

- (4) State license;*
- (5) State identification card;*
- (6) US military dependent identification card;*
- (7) US military identification card;*
- (8) Certified State school record, on a form provided by the Administration, not more than 12 months old;*
- (9) I-766 Employment Authorization Document; or*
- (10) Any other documents adopted as acceptable by the Administration through written approval.*

C. Source Documents for Residency.

(1) To establish Maryland residency, an applicant for a non-compliant license or identification card shall submit at least two source documents. The address on source documents shall match the address on the application and may not be from the same business, company, or agency. The residency source documents include:

- (a) Maryland vehicle registration card or title;*
- (b) Utility, telephone, or cable or satellite TV bill;*
- (c) Checking or savings account statement;*
- (d) Life insurance card or policy over 3 years old;*
- (e) Property tax bill or receipt;*
- (f) Mortgage account or proof of home ownership;*
- (g) Residential rental contract, an apartment lease, or other rental of real property;*
- (h) First class mail from a federal, state, or local government agency to include the contents and envelope, excluding mail from the Administration;*
- (i) Installment contract from a bank or other financial institution;*
- (j) Sales tax or business license;*
- (k) Major credit card bill;*
- (l) Residential service contract for services performed at the address of residence, for example, cable or satellite television service, TV repairs, lawn service, or exterminator contract;*
- (m) Court order of probation, order of parole, or order of mandatory release;*
- (n) Cancelled check with imprinted name and address; or*
- (o) Selective Service Card.*

(2) A post office box number may only be used if in conjunction with the applicant's address and in the same zip code area. The use of a private mail drop is not permitted.

D. To establish proof of Maryland income tax filings for the preceding two tax years, the applicant shall submit a certified letter from the Maryland Comptroller's office reflecting the applicant's ITIN or SSN.

E. Applicants requesting a name change or to establish a name other than the name that appears on a source document shall submit documentation issued by a court, governmental body, or other entity acceptable to the Administration, accompanied by an English translation, to include:

(1) Certified copy of a court order pertaining to the name change;

(2) Original or certified copy of a marriage certificate;

(3) Original or certified copy of a divorce decree; or

(4) Original or certified copy of a birth certificate.

.05 Exception Process.

A. If an applicant is unable to comply with the Maryland residency source document requirements set forth in Regulation .04C of this chapter due to circumstances beyond the applicant's control, the applicant may submit the following alternate source documents under the following circumstances.

(1) If the applicant is a dependent:

(a) The signature on the application of the parent or guardian with whom the applicant resides, signed in the presence of a representative of the Administration;

(b) Documentation of the relationship between the applicant and parent or guardian;

(c) Documentation to prove the applicant is a dependent of the parent or guardian, if the applicant is 18 years of age or older; and

(d) Acceptable proof of the parent or guardian's identity and Maryland residence address.

(2) If the applicant is a married individual:

(a) A statement from the applicant's adult spouse with whom the applicant resides, signed in the presence of a representative of the Administration; and

(b) An original or certified copy of their marriage certificate;

(3) If the applicant is a resident of a nursing home, a statement from the nursing home written on the nursing home's letterhead, which shall include:

(a) The applicant's name and date of birth;

(b) Address of the nursing home;

(c) Name and phone number of the contact person at the home; and

(d) Signature of the nursing home's manager or representative;

(4) If the applicant is an inmate or former inmate within 60 days of release:

(a) An Order of Parole;

(b) An Order of Mandatory Release; or

(c) An address certification form issued by the Administration and signed by a designated official of the correctional facility, or other designated official of the Department of Public Safety and Correctional Services;

(5) If the applicant is a homeless individual, an original letter on letterhead from a homeless shelter, or service provider, which shall include:

(a) A statement that the applicant is homeless;

(b) The address of the shelter or service provider;

(c) The name and phone number of the contact person; and

(d) The signature of the shelter representative or service provider; or

(6) If the applicant is in the care of the Department of Juvenile Services, the Administration may accept an address certification form issued by the Administration and signed by a designated official of the Department of Juvenile Services.

B. If an applicant is incapacitated and physically unable to visit the Administration to apply for an identification card in person, the Administration may complete the application and issuance process by mail if the applicant:

(1) Holds or has held a Maryland license or identification card and there is a usable image and signature of the applicant on file;

(2) Submits certification stating the reason the applicant is physically unable to apply for an identification card in person; and

(3) Submits a completed application and includes any applicable fees.