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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) **An individual shall use only his/her full legal name** [W]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 & 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 & 2008 OL Ch 1

735-062-0005

SSN -- Requirements for Proof of a Verifiable SSN or Ineligibility for a SSN and SSN Verification

(1) Except as provided in OAR 735-062-0032 and 732-062-0033, when a person who is eligible for a SSN applies for any original, renewal or replacement driver license, driver permit or identification card, the person must provide his or her SSN on the application form and **the person must provide proof that the SSN is the one assigned to the person by the SSA,** unless **the person's DMV record shows** DMV previously has verified the SSN as provided in section (3) of this rule **and shows the person is a citizen or permanent resident of the United States.**

Proof that the SSN is the one assigned to the person by the SSA may include, but is not limited to, one or more of the following documents:

- (a) Social Security Card or other SSA documentation;
 - (b) Income tax form filed with the Internal Revenue Service or a state tax agency;
 - (c) Employment document;
 - (d) Military document (DD214); or
 - (e) Any document containing full social security number acceptable as proof of legal presence or identity and date of birth as listed in OAR 735-062-0015 or 735-062-0020.
- (2) Except as provided in OAR 735-062-0032 and 735-062-0033, a person who applies for any original, renewal or replacement non-commercial driver license or driver permit or identification card and claims to be ineligible for a SSN must provide proof that he or she is not eligible for a SSN. A person may prove his or her ineligibility for a SSN by presenting documents issued by the SSA, the Department of Homeland Security or other federal agencies or federal courts, which demonstrate that the person is not eligible to be assigned a SSN by the SSA. The person must also certify that he or she is ineligible for a SSN.
- (3) When an applicant provides a SSN and the proof required by section (1) of this rule, DMV will submit the SSN to the SSA for verification, unless the applicant is a citizen or permanent legal resident of the United States whose SSN previously has been verified under this rule. An applicant's SSN is verified when SSA notifies DMV that the applicant's SSN, name and date of birth are confirmed by SSA's records.
- (4) Except as provided in OAR 735-062-0032 and 735-062-0033, DMV will not issue, renew or replace any driver license, driver permit or identification card, unless:
- (a) The applicant has proved his or her legal presence in the United States as provided in OAR 735-062-0015, and DMV has verified the applicant's SSN as provided in section (3) of this rule; or
 - (b) If the applicant claims to be ineligible for a SSN, the applicant has proved his or her ineligibility for a SSN as provided in section (2) of this rule and his or her legal presence in the United States as provided in OAR 735-062-0015.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 807.050 & 2008 OL Ch. 1
Stats. Implemented: ORS 802.200, 807.050 & 2008 OL Ch. 1

New Rule

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 an identity document listed in OAR 735-062-0020 as proof of the applicant's current legal name.

(4) DMV may use the applicant's DMV record to help establish a connection between the identity document and the document used to establish legal presence.

(5) 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, **unless the person's DMV record shows DMV has previously verified the person's SSN and shows that the person is a citizen or permanent legal resident of the United States.** The documents provided must be either original or certified copies.

[(2) If the applicant's full legal name is different from the name in the document(s) submitted to prove legal presence pursuant to section (1) of this rule, the applicant must provide valid documentary proof that the applicant's name has been legally changed and that the applicant is the person identified in the document(s) submitted to prove the applicant's legal presence. Documentary proof of an applicant's legal name change may include, but is not limited to: a marriage certificate, 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.]

[(3)] **(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. ~~[t]~~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).

(k) U.S. Citizen Identification Card (I-197 and I-179).

[(4)] **(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).

[(5)] **(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) **Passport (containing I-94) issued by the Federated States of Micronesia (FSM), Republic of the Marshall Islands (RMI) or Republic of Palau** [*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) DMV will not accept as the proof required by sections (3) and (4) of this rule a document that it is unable to verify through the Systematic Alien Verification for Entitlements (SAVE) system.

(6) 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) If the applicant's full legal name is different from the name on the document(s) submitted to provide proof of identity and date of birth pursuant to section (1) of this rule, the applicant must provide valid documentary proof that the applicant's name has been legally changed and that the applicant is the person identified in the documents submitted to prove the applicant's identity and date of birth. Documentary proof of an applicant's legal name change may include, but is not limited to: a marriage certificate, 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.]

[(3)] **(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.

(n) The applicant's DMV record, including the applicant's digital photo, if the applicant has previously been issued an Oregon driver license, driver permit or identification card.

[(4)] **(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 & 807.400

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