



LOUISIANA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF MOTOR VEHICLES

Section: I Issuance of Driver's License
Number: 6.02

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DRIVER'S LICENSE ISSUANCE FOR ALIENS TEMPORARILY RESIDING IN LOUISIANA

POLICY:

To view Louisiana Statutes: <http://www.legis.state.la.us/>

AUTHORITY

Administrative
R.S. 32:405.1
R.S. 32:409.1

DEFINITIONS

All applicants for drivers' licenses or identification cards are required to present proof of identification as outlined by law.

For the purpose of clarification, aliens are divided into two groups:

- **Immigrants** are aliens who are permanently residing in the United States of America. Immigrant status may be obtained through a number of different procedures and is granted for life. Immigrant status may be revoked for specific serious crimes such as treason, but this is not a common occurrence.
- **Non-immigrants** are aliens who have been temporarily admitted to the United States.

US Department of Homeland Security

- **I-94** - Arrival Departure Record
- **I-129** - Petition for a Non-Immigrant Worker
- **I-485** - Application to Register Permanent Residence or to Adjust Status
- **I-20** - Certificate of Eligibility for Non-immigrant Student Status for Academic and Language
- **I-20MN** - Certificate of Eligibility for Non-immigrant (M-1) Student Status - For Vocational Students
- **DS-2019** - Certificate of Eligibility for Exchange Visitor
- **VISA** - A U.S. visa allows the bearer to apply for entry to the U.S. in a certain classification (i.e., such as student (F), visitor (B) or temporary worker (H)). A visa does not grant the bearer the right to enter the United States. Admission, length of stay and condition of stay will be determined by U.S. Customs and Border Protection (CBP) immigration inspectors. The terms and length of admission will be determined at that time and recorded on the Arrival/Departure Record (I-94 or I-94W) and in your passport.

REQUIREMENTS

The following documents presented by both immigrants and non-immigrants are considered primary documents for identification:

- Permanent Resident Card
- Country of Nationality Passport

Effective 02/17/2009, a Non-Permanent Resident Alien must have at least six (6) years of legal presence remaining on his immigration documents when applying for a driver's license / ID card. If he has less than six years remaining, the credential will be issued with a variable expiration date (to reflect his last day of legal presence) and will display "Limited-Term".

NAME USAGE

Record the name as it is recorded on the Department of Homeland Security documentation presented. However, FNU (first name unknown) is not an acceptable name even though it may be present on the Department of Homeland Security document or passport. These applicants will not be issued a Louisiana driver's license or ID card.

IMMIGRANTS PERMANENTLY RESIDING IN THE UNITED STATES		
Class	Description/Details	Alien Eligible for Social Security Number
Permanent Resident Card I-551	<ul style="list-style-type: none">Expired permanent resident cards (I-551) are acceptable. The card must be renewed through the Department of Homeland Security.It may take up to eighteen months to receive the Permanent Resident Card after approval is granted. The immigrant will have an I-551 stamp in the passport proving his resident status. Immigrants may have an I-94 or an unexpired re-entry document with the I-551 stamp. The Department of Homeland Security may also indicate on the Passport Visa that it is temporary proof of permanent residency (I-551).Note: I-151's are no longer acceptable.Note: If the photograph on the I-551 was taken prior to the applicant's 14th birthday and the applicant is now over age 14, the applicant must be referred to the Department of Homeland Security for issuance of a new I-551 prior to processing the application. The Department of Homeland Security will issue a receipt for the updated I-551.	Yes
Applicants for Permanent Residency - I-485	<ul style="list-style-type: none">Application for adjustment of status to lawful permanent resident is made on the I-485 form.Applicants in the pending stage must show a receipt of application to the Department of Homeland Security. The receipt contains the applicant's name and the fees paid. The applicant may have an employment authorization document during the pending process.Once approved for permanent residency, the passport will have a Department of Homeland Security stamp, "Processing for I-551." This stamp is proof of legal presence. The employment authorization document is picked up once this stamp is placed in the passport. Issuance of a permanent resident card may take up to 18 months.	Yes
Refugee	<ul style="list-style-type: none">A person who flees to a foreign country or power to escape danger or persecution.A refugee may or may not have a passport in his possession when applying for permanent status. The applicant must have Form I-94 with a status code indicating refugee. Applicant should present an employment authorization document.	Yes
Asylee	<ul style="list-style-type: none">An immigrant in the United States or port of entry who is seeking protection because he has suffered or fear that he will suffer persecution.Applicant may also present an Asylum Approval Letter or Order of Asylum by an Immigration Judge.Applicant should have an I-94 and a passport.	Yes

NON-IMMIGRANT ALIENS

Temporary Admittance to the United States of America

- The following is a list of status codes that may be eligible for a Louisiana license or identification card. The attached listing is not inclusive. Other status codes may be considered for issuance of drivers' licenses and identification cards.
- A non-immigrant must show, upon original application for a Louisiana license or identification card, that there are **AT LEAST 180 DAYS** left on his I-94 or Employment Authorization Document. Otherwise, the applicant shall be denied a Louisiana license or identification card.
- Effective August 15, 2007, aliens with an H-2A VISA (agriculture workers) can be issued an original/first-time license if there are **AT LEAST 60 CALENDAR DAYS** left on their VISA document.
- Canadian citizens may or may not have an I-94 card, but must obtain a status from the Department of Homeland Security for driver's license or identification card issuance.
- **The I-94 document is acceptable in handwritten form or electronic printout from the U.S. Citizenship and Immigration Services.**
- An applicant will often present an I-94 that is expired, but the applicant will have a valid employment authorization document, or vice versa. If the applicant can present valid documentation, whether it is one document or several, that documentation will suffice for legal presence.
- **NOTE: Any non-immigrant applicant of any status is eligible to renew a driver's license if there are AT LEAST 30 days left on any document demonstrating legal presence.**
- **NOTE: If a non-permanent resident is unable to timely renew his driver's license due to expired documents, he will not be charged a delinquent (late) fee upon renewal.**

NON-IMMIGRANT ALIENS: Temporary Admittance to the United States			
Class	Description/Details	Documentation issued by The Department of Homeland Security for Legal Presence	Social Security Eligibility
A-1	Certain diplomats and their immediate family. (Ambassador, Public Minister, Career Diplomat or Consular Officer or Immediate Family)	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	No
A-2	Certain diplomatic personnel and their immediate family. (Other Foreign Government Official or Employee or Immediate Family)	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	No
A-3	Domestic staff of an A-1 or A-2 and the staff's person's immediate family (attendant, servant or personal employee of an A-1 or A-2 immediate	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded	Yes

	family).	diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	
B-1	Temporary visitor for business	No Issuance by OMV Exception is allowed only if an Employment Authorization Document is issued.	Yes (if EAD issued)
B-2	Tourist (temporary visitor for pleasure)	No Issuance by OMV	No
B-1/B-2/BCC	Combination B-1/B-2 and Border Crossing Card	No Issuance by OMV	No
BCC	Border Crossing Card	No Issuance by OMV	No
C-1	Alien in transit through the U.S.	No Issuance by OMV	No
C-2	Representative in transit to or from the United Nations Headquarters District. (Person in transit to United Nations Headquarters)	No Issuance by OMV	No
C-3	Government Representatives in transit through the U.S. (Foreign government official, immediate family, attendant, servant or personal employee in transit)	No Issuance by OMV	No
C-1/D	Combination transit/crew member visa	No Issuance by OMV	No
D	Crew member for sea or air	No issuance by OMV	No
D-1	Crewman staying on the same vessel	No Issuance by OMV	No
D-2	Crewman changing to another vessel	No Issuance by OMV	No
DV-1	Diversity Visa Winner	I-129	Yes
E-1	Treaty Trader and their spouse and unmarried children under 21.	I-94 or Employment Authorization Document for spouse	No
E-2	Treaty Investors and their spouse and unmarried children under 21	I-94 or Employment Authorization Document for spouse	No
E-3	Australian Specialty Occupation Worker	I-94 or Employment Authorization Document	No
E-3D	Spouse or children under 21 of E-3	I-94 or Employment Authorization Document for Spouse and I-94 for children under 21	No
E-3R	Returning E-3	I-94 or Employment Authorization Document	No
EX1	Schedule - A Worker, New Arrivals	I-94 or Employment Authorization Document	Yes

F-1 See Note 1	Student I-20	I-94 I-20 AB or Employment Authorization Document	Yes (If employed)
F-2 See Note 1	Spouse or child of student F1's I-20	I-94 I-20 AB	Yes (If employed)
F-3	Canadian and Mexican Academic Students who commute across the U.S. land border to attend school within 75 miles of the border	I-94 (Multiple Entry) I-20	No
G-1	Principal representative of certain international organization, accredited members, their staff and immediate family.	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	No
G-2	Other accredited representatives of certain international organizations and their immediate family	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	No
G-3	Persons who qualify under G-1 or G-2 except that the government is not recognized by the U.S. or is not a member of the international organization and their immediate family.	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	No
G-4	International organization officer or employee, and immediate family	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	No
G-5	Domestic staff of a person or family member with status as a G-1 through G-4 and the staff person's immediate family	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented	No

		indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid 90 days from issuance.	
H1	Temporary worker of distinguished merit and ability	I-94 or Notice of Action Form I-129 (I-797) or Employment Authorization Document	Yes
H1A	Temporary worker performing services as a Registered Nurse	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
H1B	Temporary worker of distinguished merit and ability performing services other than as a registered nurse.	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
H-1 B-1	Free Trade Agreement worker (Chile/Singapore)	I-94 or Notice of Action form I-129 (I-797) or Employment Authorization Document	Yes
H-1C	Nurse in health professional shortage area	I-94 or Notice of Action form I-129 (I-797) or Employment Authorization	Yes
H2A	Temporary worker Performing agricultural services unavailable in the United States	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
H2B	Temporary worker performing other services	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
H2R	Returning H2B Worker	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
H-3	Trainee and Special Education Exchange Program Visitors	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
H-4	Spouse and unmarried children under 21 of H category workers and trainees	I-94 or Notice Of Action I-129 (I797) or I-20 may attend school with an H-4 status	Yes if approved by Social Security
I	Representative of foreign information media, spouse and unmarried children under 21	I-94	Yes - Principal No- Spouse and children
J-1	Exchange Visitor Program: may be a student, scholar, trainee, teacher, professor, research assistant, specialist or leader in a field of specialize knowledge or skill	I-94 DS-2019	Yes (only if employed)
J-2 See Note 2	Spouse and unmarried children under 21 of a J-1 non-immigrant	I-94 DS-2019 Employment Authorization Document (if	Yes

		employed)	
K-1	Fiancée of United States Citizen	No Issuance by OMV	No
K-2	Unmarried children under 21 of a K-1 non-immigrant	No Issuance by OMV	No
K-3	Spouse of a U.S. Citizen awaiting availability of immigrant visa	I-94 or Employment Authorization Document (if employed)	Yes
K-4	Certain unmarried children under 21 of a K-3 non-immigrant	I-94 or Employment Authorization Document (if old enough to legally work in the U.S.	Yes
L-1	Intra-Company transferee Employment verification	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
L-1A	Intra-Company Transferees who are executives and managers	I-94 or Notice of Action Form I-129 (I-797) or Employment Authorization Document	Yes
L-1B	Intra-Company Transferees who have qualifying specialized knowledge	I-94 or Notice of Action form I-129 (I-797) or Employment Authorization Document	Yes
L-2	Spouse and unmarried children under 21 of an L1A or L1B worker	I-94 or Notice Of Action I-129 (I797) or Employment Authorization Document	Yes
M-1 See Note 1	Vocational student	I-94 or I-20MN or Employment Authorization Document (for practical training purposes only)	Yes
M-2 See Note 1	Spouse and unmarried children under 21 of an M-1 non-immigrant	I-94 or I-20MN of M-1	No
M-3	Canadian and Mexican vocational students who commute across the U.S. land border to attend school within 75 miles of the border	I-94 or I-20 MN (Employment Authorization Document-for practical training purposes only)	Yes if approved by Social Security
NATO 1-6	NATO personnel on assignment in the U.S.	No Issuance by OMV Exception is allowed only when an original letter on letterhead from the U.S. Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. NOTE: The letter is only valid for 90 days from issuance.	
N-8	Parent of an immigrant classified as SK-3 or SN3	I-94 or Employment Authorization Document	Yes
N-9	Children unmarried under 21 of N-8 or SK1-4, SN-1-2, or	I-94 or Employment Authorization Document	Yes

	SN-4		
O-1	Non-immigrant with extraordinary abilities in science, arts, education, business or athletics	I-94 or Notice Of Action I-129 (I797)	Yes
O-2	Support personnel to an O-1 non-immigrant worker	I-94 or Notice Of Action I-129 (I797)	Yes
O-3	Spouse or child of O-1/2 spouse and unmarried children under 21 of an O-1 or O-2 non-immigrant	I-94 or Notice Of Action I-129 (I797)	Yes
P-1	Internationally recognized athlete or entertainment group member	I-94 or Notice Of Action I-129 (I797)	Yes
P-2	Artist or entertainer in a reciprocal exchange program	I-94 or Notice Of Action I-129 (I797)	Yes
P-3	Artist or entertainer in a cultural exchange program	I-94 or Notice Of Action I-129 (I797)	Yes
P-4	Spouse or Child of P1, P2, or P3	I-94 or Notice Of Action I-129(I797) of P-1, P-2 or P-3	Yes
Q-1	Participants in an international culture exchange program	I-94	Yes
R-1	Alien in a religious occupation	I-94	Yes
R-2	Spouse or child of R-1	I-94	Yes
S-5 S-6 S-7	Special interest alien	I-94	No
TN	NAFTA professional Canadian/Mexican Citizens	I-94 or Notice Of Action I-129 (I797)	Yes
TD	Spouse or child of NAFTA Professional (TN)	I-94 or	Yes
V-1	Spouse of an alien lawfully admitted for permanent residency	I-94 or Employment Authorization Document	Yes
V-2	An eligible spouse of an alien lawfully admitted for permanent residence	I-94 or Employment Authorization Document	Yes
V-3	A Child of either V-1 or V-2 if eligible to accompany or follow to join principal alien lawfully admitted	I-94 or Employment Authorization Document	Yes
TWOV	Transit without VISA	No issuance by OMV	No
WT	Visa Waiver Program Visitor for Pleasure	No issuance by OMV	No
WB	Visa Waiver Program Visitor for Business	No issuance by OMV	No

Order of Supervision (OOS)	Issued to individuals who are ordered deported but are stateless and therefore, cannot be deported. Such an order grants legal presence.	I-94 or Employment Authorization Document	Yes
Parolees	An alien allowed into the United States for urgent humanitarian reasons.	I-94 or Employment Authorization Document	Yes

NOTE 1

- Student non-immigrants (F-1, J-1, M-1) are issued an I-20 or its equivalent which must be presented at time of application. The I-20 will list the school, length of the program and a contact person and phone number of the student representative at the school. If the I-20 indicates an out of state school, the applicant will need to submit a current document with a Louisiana address. If it is necessary to verify information for a non-immigrant, this contact information can be used to verify details.
- Most non-immigrants with the number "2" in their status code will be dependents of another non-immigrant. Dependents accompanying student non-immigrants will be listed on the reverse side of the I-20. Dependents may or may not have their own I-20. Additional documentation to verify the dependent's status may require the submission of paperwork verifying the status of the non-immigrant they are accompanying.

NOTE 2

MINORS - FOREIGN EXCHANGE STUDENTS ONLY

- In lieu of parent's signature, a Power of Attorney executed by a minor's parent(s) and awarding legal guardianship of the minor child to another person is acceptable. This document must be maintained with the applicant's file. Applicant must meet all other requirements.

ALL MINORS

Effective 09/16/2013

- Effective September 16, 2013, the minor applicant seventeen (17 years of age) must also present a completed Certification of Required Attendance form indicating his enrollment / attendance status. A current Certificate of Required School Attendance must be submitted or verified each time a minor makes application with the Office of Motor Vehicles (to lift the 02 restriction, be issued a duplicate, be issued a Class E (at age 17) or request a change of address). Effective 08/01/2014, the current school attendance form is valid for 90 days from the date of issuance.
- For home study or registered nonpublic school students, the parent/guardian must submit one of the following documents each time a minor makes application with the OMV (as stated above) :
- SBESE home study - signed and approved Home Study Approval Notification Letter. This letter is valid for one year from the date on the letter and must be renewed annually.
- Private option - signed Registered Non-public School: Registration Confirmation Letter verifying registration of the non-public school. This letter is valid for one year from the date of the letter and must be renewed annually.
- If the applicant has graduated or attained the high school equivalency diploma, he may present the diploma upon application in lieu of the Certification of Required Attendance.

NOTE 3

- Fiancée of US citizen (K1): once married to a US citizen MUST provide the passport, marriage license certificate and Notice of Action I-797 for change of status to be issued a DL/ID.

NOTE 4

- Child of fiancée of US Citizen (K2): After K1 is married to a US citizen child MUST provide ALL documentation for first time issuance and Notice of Action I-797 for change of status to be issued a DL/ID.

NOTE 5 (NATO visa status)

- The US Department of State has determined that an individual who is present in the United States in NATO (North Atlantic Treaty Organization) visa status is not eligible to be licensed to drive or to obtain an identity card from the US Department of State. In fact, many of them are permitted by treaty to drive in the United States with their valid foreign driver's license with no additional documentation, or they may wish to seek a driver's license from their local Department of Motor Vehicles. In any case, due to their ineligibility for motor vehicle services from the US Department of State's Office of Foreign Missions (OFM), the Department has determined that there should be no need for any individuals present in the United States in NATO visa status to be required to present the Department's non eligibility letter to seek motor vehicle services from local jurisdictions.

EMPLOYMENT AUTHORIZATION DOCUMENT

- A photo ID issued by the Department of Homeland Security as evidence of employment authorization. The document is only valid during the validity period of the card. The employment authorization document has two form numbers, I-688B and I-766. Both forms are acceptable.

SOCIAL SECURITY REQUIREMENT

- The Social Security requirement **does not** pertain to identification cards. However, if the Social Security number is provided, it should be accepted. R.S. 32:409.1 authorizes the collection of the Social Security Number on all drivers' licenses issued in this state. This pertains to first-time issuance, as well as renewals and duplicates. Collection of the Social Security Number should be taken from the card itself or from an official written notification from the Social Security Administration, or from other officially recognized documents. Applicants transferring in from another state with a picture driver's license (which clearly identifies him) which specifically depicts the applicant's Social Security number need not present further proof. Even though several states use the Social Security number as the driver's license number, **DO NOT ASSUME** that the license number and the Social Security number are the same. The Social Security number should be listed separately in a specified field on the face of the license.
- Any alien individual residing in Louisiana who does not possess and is ineligible to obtain a social security number shall be required to furnish a letter from the Social Security Administration stipulating they are "ineligible" or that they "have not been issued" a social security number for a Class D or E driver's license. If the non-immigrant Aliens chart listed above indicates "NO" in the "Alien Eligible for Social Security" column, this letter will not be required.
- NOTE: CODOFIL is a special exchange program for language teachers to visit another country for one school year and teach in public schools. Applicants who present a letter from CODOFIL identifying them as a teacher associated with that program shall be exempted from the Social Security requirement, the 6 hour pre-licensing course and may retain their out of country license. These applicants will take the knowledge and road skills tests unless they are from a country with which we have a reciprocity agreement (Section I, Policy #18.01).

PROCEDURES

- Each applicant for a driver's license must comply with all identification, driver education training, medical and vision requirements before the administration of any test.
- All first time applicants presenting a foreign driver's license from a country that does not have a reciprocal agreement with the Department are required to furnish proof of driver education training. Depending on the applicant's age, one of the following must be submitted:
 - a. A certificate of completion of a six (6) hour pre-licensing training course and eight (8) hours of behind-the-wheel instruction which has been approved by the Department of Public Safety & Corrections; **OR**
 - b. A certificate of completion of a driver education course consisting of a minimum of thirty (30) hours classroom instruction and eight (8) hours of behind-the-wheel instruction which has been

approved by the Department of Public Safety & Corrections; **OR**

c. An "Application and School instruction Permit DE 1821 (R10/95)"; **OR**

d. An official Louisiana high school letter certifying completion of the course; **OR**

e. An official transcript from a Louisiana school which indicates that school course credit has been given for a driver's education course.

- All first time applicants for a learner's permit must successfully pass the knowledge test. All first time applicants for a Class E driver's license must also pass a road skills test.
- All applicants transferring to Louisiana that present a driver's license from a foreign country will be required to successfully complete the knowledge and road skills tests. Only those countries with which Louisiana has a reciprocity agreement will be exempt from this testing. Applicants may retain their out-of-country driver's license.

RELATED POLICIES

Section I

6.00 [Identification Requirements](#)

6.01 [Driver's Education Requirements](#)

8.00 [Authorization & Licensing of a Minor's Application for Driver's License](#)

9.00 [Vision Test for Class E and D](#)

10.00 [Written Examination](#)

12.00 [Outside Driving Tests](#)

18.00 [Out of State Transfers](#)

18.01 [Reciprocity with Other Countries](#)

19.00 [Identification Cards](#)