

ALABAMA LAW ENFORCEMENT AGENCY  
ADMINISTRATIVE CODE

CHAPTER 760-X-1  
PROMULGATED RULES

760-X-1-.20      Proof of Identity, Authorized Presence.

1.     **Definitions.** As used in this Rule, the following terms shall have the following meanings:

(a) APPLICANT. An applicant for a license or ID.

(b) LICENSE. An Alabama driver license, regardless of class, stage, or restrictions; an Alabama learner's permit, whether issued for commercial or non-commercial driving; or an Alabama vessel license. The term includes any type of license listed in Table 2.

(c) ID. An Alabama nondriver identification card.

(d) LISTED DOCUMENT. A document listed in Table 1 of this Rule as acceptable documentation for proof of name, date of birth, and authorized presence. The term includes documents designated as either "Primary" or "Secondary" in Table 1. The term refers only to the original Listed Document or to a copy that is certified by the agency that issued the Listed Document or its successor agency.

(e) OUT-OF-STATE DRIVER LICENSE. A driver license issued by a state other than Alabama or by another transfer-eligible jurisdiction.

(f) PRIMARY LISTED DOCUMENT. A Listed Document that is designated by Table 1 as a "Primary" document.

(g) STATE. A State of the United States; the District of Columbia; or any United States Territory, including Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(h) U.S. BIRTH CERTIFICATE. An official government record of birth that has been issued by a federal or state agency designated by law to issue such records and that indicates the individual's date of birth, full name, and sex.

- (i) VESSEL LICENSE. An Alabama boater safety certification, as described in Article 2 of Chapter 5 of Title 33 of the Code of Alabama 1975.
2. **Proof of Identity.** Any individual applying for an original Alabama license or ID must submit proof of his or her identity, including name, date of birth, and authorized presence in the United States. This will help to safeguard the accuracy and integrity of Department of Public Safety documents.
  3. **Scope.** This Rule is intended to establish minimum standards for the issuance of all Alabama licenses and IDs. Compliance with this Rule does not, by itself, entitle an applicant to the issuance of a STAR ID document that is acceptable for certain federally designated purposes, including boarding federally regulated commercial aircraft. STAR ID documents have additional proof, verification, and issuance requirements that are described in the REAL ID Act of 2005 (P.L. 109-13) and the U.S. Department of Homeland Security's implementing regulations (Title 6, Part 37 of the Code of Federal Regulations).
  4. **In General.** Except as otherwise provided in this Rule, an applicant for a license or ID must offer proof of his or her identity by presenting the following documentation:
    - (a) The applicant's original Social Security Card and
    - (b) Listed Documents in one of the following combinations:
      1. If any of the Listed Documents presented by the applicant bear a photograph of the applicant, then the applicant may present one (1) Primary Listed Document and one (1) additional Listed Document.
      2. Otherwise, the applicant must present one (1) Primary Listed Document and two (2) additional Listed Documents.
  5. **Driver License Transfer.** An applicant seeking to transfer an out-of-state driver license to Alabama must, in lieu of the requirements of subsection (4)(b), present his or her out-of-state driver license and one (1) Primary Listed Document.
  6. **Proof of Social Security Number, Exceptions.** Except as otherwise stated in this Rule, when an individual applies for an Alabama license or ID the applicant must present proof of his or her Social Security number, regardless of whether the applicant wishes to have the number displayed on the

applicable license or ID. Ordinarily, this requirement will be satisfied by presenting the applicant's original Social Security Card pursuant to subsection (4) (a).

(a) In lieu of presenting his or her original Social Security Card pursuant to subsection (4) (a), an applicant may offer proof of his or her Social Security number by presenting an original of one of the following documents, if the document displays the applicant's Social Security number:

1. A certified letter from the U.S. Social Security Administration, on SSA letterhead, stating the applicant's name and Social Security number.
2. A computer-generated printout from the U.S. Social Security Administration, with the SSA's official stamp affixed, that displays the applicant's name and Social Security number.
3. A United States Uniformed Services Identification and Privilege Card.
4. A U.S. Department of Defense Certificate of Release or Discharge from Active Duty (DD Form 214).
5. A Medicare or Medicaid Identification Card, if the card displays the letter "A" immediately after the applicant's Social Security number.
6. A U.S. Internal Revenue Service Wage and Tax Statement (Form W-2).

(b) A U.S. citizen who, based upon sincere, well-established religious objections, has never been assigned a Social Security number must, in lieu of the requirements of subsection (4) (a), present verifiable proof from the Social Security Administration that a Social Security number has never been assigned to him or her.

(c) A foreign national who applies for a license or ID and who has not been assigned a Social Security number must, in lieu of the requirements of subsection (4) (a), present verifiable proof from the Social Security Administration that he or she is ineligible for the assignment of a Social Security number and present proof of his or her authorized presence in the United States to the satisfaction of the license examiner as described in subsection (11) (d).

(d) A record existing on ALEA's driver license database as the result of a license or ID previously issued to the applicant may be considered as proof of the applicant's Social Security number.

(e) Notwithstanding the provisions of this Rule, an applicant for a license issued pursuant to the Alabama Uniform Commercial Driver License Act, Code of Ala. 1975, §§ 32-6-49.1, et seq., must offer proof of his or her Social Security number in the manner specified by the Act.

7. **Proof of Date of Birth.** An applicant for any type of Alabama license or ID must meet the minimum age requirements relevant to that license or ID, which are set forth in Table 2. A record existing on ALEA's driver license database as the result of a license or ID previously issued to the applicant may be considered proof of the applicant's date of birth. If no such record exists, the applicant's date of birth must be established by at least one Primary Listed Document.
8. **Learner License.** Notwithstanding any other provisions of this Rule, a 15-year-old applicant seeking to obtain a Stage I learner license pursuant to Section 32-6-8(b), Code of Alabama 1975, must present at least one of the following Listed Documents, which will count towards the total number of Listed Documents required by subsection (4) (b) of this Rule:
  - (a) If the applicant was born in the United States, the applicant must present his or her U.S. birth certificate.
  - (b) If the applicant was not born in the United States, the applicant must present at least one of the following:
    1. A foreign birth certificate printed in, or translated into, English and certified by the embassy of the country of issuance.
    2. A Certificate of Foreign Birth issued by the Alabama Department of Public Health, or a certificate of foreign birth issued by a federal or state government agency designated by law to issue such records, if the certificate's issuance requires, at a minimum, the same degree of proof of the subject's identity required to obtain an Alabama Certificate of Foreign Birth.
    3. A U.S. Passport.
9. **Proof of School Enrollment or Exclusion.** An individual under the age of 19 who is applying for, renewing, or seeking reinstatement of a driver license must present a diploma or other certificate of graduation, a GED certificate, or a completed and signed School Enrollment/Exclusion Form (ALEA Form DL-1/93). Such documentation will count towards the total

number of Listed Documents required by subsection (4) (b) of this Rule.

10. **Previous Deportation.** An applicant who has previously been deported from the United States must, in addition to satisfying the documentation requirements provided in subsection (4) of this Rule, present proof from U.S. Immigration and Customs Enforcement that his or her legal presence status has been restored.

11. **Foreign National Applicants.**

(a) In order to be eligible for the issuance of a license or ID pursuant to Section 32-6-10.1, Code of Alabama 1975, a foreign national applicant must be lawfully present in the United States and have at least 30 days of allowable time remaining in the United States.

(b) Any individual lawfully present in the United States and classified as a lawful permanent resident of the United States, or classified in any of the following U.S. Visa categories, is eligible to apply for a license or ID pursuant to Section 32-6-10.1, Code of Alabama 1975: A, B, E, F, G-4, H, I, J, K, L, M, NATO, O, P, Q, R, S, T, TN, TD, TPS, or U. Provided, however, that F and M visa holders must also present a Certificate of Eligibility for Nonimmigrant Student Status (Form I-20), and J-1 and J-2 visa holders must also present a Certificate of Eligibility for Exchange Visitor Status (Form DS-2019 or Form IAP-66).

(c) For the purposes of issuing licenses and IDs to foreign nationals pursuant to Section 32-6-10.1, Code of Alabama 1975, the Department of Public Safety shall presume a foreign national's presence in the United States to be unauthorized until the applicant presents documentation evidencing, to the satisfaction of the Department, that the applicant's presence in the United States is authorized.

(d) In the circumstances described in subsection (6) (c), license examiners may consider a variety of documents when determining a foreign national applicant's authorized presence in the United States. Alternative documents include, but are not limited to, one or more documents in the following list. Presentation by the applicant of one or more of the following documents does not ensure that the applicant will be processed for the issuance of an Alabama license or ID:

1. An I-551 stamp in a valid foreign passport.
2. An I-551 stamp on an INS Form I-94 Arrival/Departure Record.

3. Refugee, asylee, or parolee classifications, only when accompanied by proper ICE/DHS documentation.

4. Proof of non-immigration classification provided by the United States Department of Homeland Security (including, but not limited to: valid I-94 Arrival/Departure Record issued by the DHS; original Form I-797 Notice of Action issued by the DHS showing approval of change of status or extension of stay; or original Form I-797 Notice of Action issued by the DHS evidencing timely filing of an extension petition.

5. United States Uniformed Services Identification and Privilege Card, accompanied with an international travel order (ITO) for international military student (IMS).

6. Valid Employment Authorization Document (EAD) issued by the U.S. Department of Homeland Security, accompanied by a valid foreign passport.

12. **Documentation Requirements.** No document shall be accepted as proof of identity unless it meets the following requirements:

(a) It is the original document, or it is a copy of the original document that bears an attached, original certification from the agency that issued the document or its successor agency.

(b) The document does not bear any of the following defects:

1. Correction fluid (white-out) has been used on pertinent information.

2. Erasure markings appear on pertinent information.

3. Pertinent information is missing.

4. Pertinent information is illegible.

5. Alterations appear in pertinent information.

6. A fold, crease, tear, or hole obliterates or distorts pertinent information.

7. A staple obliterates or distorts pertinent information.

8. The document is not properly signed.

(c) Unless expressly permitted in another part of this Rule, the document is current.

(d) If the document is an immigration document, it reflects that the applicant has at least 30 days of allowable time remaining in the United States.

**TABLE 1: ACCEPTABLE DOCUMENTATION FOR PROOF OF  
NAME, DATE OF BIRTH, AND AUTHORIZED PRESENCE**

**DOCUMENTS MUST BE ORIGINAL OR COPIES CERTIFIED BY ISSUING AGENCY**

<b>PRIMARY</b>	<b>SECONDARY</b>
U.S. Birth Certificate	Driver license issued by another state
U.S. Passport	Nondriver identification card issued by another state
Alabama Driver License	U.S. Armed Forces Driver License
Alabama Nondriver Identification Card	U.S. Department of Defense Certificate of Release or Discharge from Active Duty (DD Form 214)
U.S. Certificate of Naturalization (Form N-550 or Form N-570)	U.S. Selective Service System Registration Card
U.S. Certificate of Citizenship (Form N-560 or Form N-561)	U.S. Department of Veterans Affairs Veteran Health Identification Card
U.S. Consular Report of Birth Abroad (Form FS-240), or a predecessor document (Form DS-1350 or Form FS-545)	U.S. Internal Revenue Service Wage and Tax Statement (Form W-2) for the previous year, with a copy of filed forms
U.S. Permanent Resident Card (Form I-551)	Marriage license or certificate
	Professional license issued by a federal or state government agency

**PRIMARY**

**SECONDARY**

**FOR NON-U.S. CITIZEN  
APPLICANTS:**

School Enrollment/Exclusion  
Form (ALEA Form DL-1/93)

Valid foreign passport  
containing a valid U.S.  
immigration document

A certified school record:

U.S. Employment  
Authorization Document  
(Form I-766 or Form  
I-688) bearing one of the  
following codes:

- Current transcript
- Most recent report card
- GED certificate
- Certificate of graduation
- Certified letter from  
school

- A03 - Refugee
- A04 - Paroled as  
Refugee
- A05 - Asylee
- C08 - Asylum  
Applicant
- C11 - Alien paroled  
into the U.S. in the  
public interest or  
temporarily for  
emergency reasons

Photo identification card  
issued by applicant's school

Documents from a court of  
record:

- Divorce decree
- Adoption decree
- Name change decree
- Bankruptcy decree

Probation or release documents  
issued by a state or federal  
department of corrections,  
accompanied by a photo  
identification card issued by  
the same authority or a felon  
identification card issued by  
the Sheriff of the applicant's  
county of residence

A Certificate of Foreign Birth  
issued by the Alabama  
Department of Public Health,  
or a comparable certificate of  
foreign birth issued by a  
federal or state government  
agency designated by law to  
issue such records

**PRIMARY**

**SECONDARY**

**FOR NON-U.S. CITIZEN  
APPLICANTS:**

U.S. Employment Authorization Document (Form I-766 or Form I-688) accompanied by valid Social Security Card

Valid I-94 Arrival/Departure Record issued by federal DHS

Valid U.S. Visa, of a category listed in subsection (11)(b), authorizing presence in the country for a period of at least 30 days

Original Form I-97, Notice of Action, issued by federal DHS showing approval of change of status or extension of stay

Original Form I-797, Notice of Action, issued by federal DHS evidencing timely filing of an extension petition

**TABLE 2: MINIMUM AGE REQUIREMENTS FOR  
ALEA-ISSUED LICENSES AND IDENTIFICATION CARDS**

<b>TYPE</b>	<b>AGE</b>
Nondriver Identification Card	No minimum age requirement
Vessel License	12 years old
Class M Motorcycle License with Motor-Driven Cycle Restriction	14 years old
Stage I Class D Driver License (Learner's Permit)	15 years old
Stage II Class D Driver License (Restricted DL)	16 years old, if individual has held a Stage I License for at least six months  Otherwise, 18 years old
Stage III Class D Driver License (Unrestricted DL)	17 years old, if individual has held a Stage II License for at least six months  Otherwise, 18 years old
CDL Class A Restricted	18 years old
CDL Class B Restricted	18 years old
CDL Class A Unrestricted	21 years old
CDL Class B Unrestricted	21 years old
CDL Class C	21 years old

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**Statutory Authority:** Code of Ala. 1975, §§32-2-9; 32-6-10.1;  
32-6-13.

**History: New Rule:** Filed May 15, 2000; effective June 19, 2000.

**Amended:** Filed October 29, 2002; effective December 3, 2002.

**Amended:** Filed April 29, 2004; effective June 3, 2004. **Amended:**  
Filed January 8, 2008; effective February 12, 2008. **Repealed and**

**New Rule:** Published August 29, 2025; effective October 13, 2025.