**Who does CO-RCSA SB251 (C.R.S. 42-2-500) apply to?**

CO-RCSA SB251 applies to all individuals who can demonstrate temporary lawful presence in the U.S. (temporary legal immigrants) as defined in Section 42-2-503 (3) and individuals who are unable to demonstrate lawful presence in the U.S. (undocumented immigrants).

**How long will a driver license or identification card be valid?**

The driver license or identification card will be valid for 3 years from the date of issuance, with the exception of a minor driver license. A minor driver license will be valid for three years or expire 20 days after the minor’s 21st birthday, whichever comes first.

**Is there an additional fee for a document issued under CO-RCSA SB251 (C.R.S. 42-2-500)?**

Yes, because this program is meant to be self-supporting, there will be an additional fee for cards issued under this program in addition to the standard fees for driver licenses and identification cards.

**Are the driver licenses, driver permits and identification cards marked differently?**

Yes, all documents issued under CO-RCSA SB251 (C.R.S. 42-2-500) have a black banner with the wording “Not Valid For Federal Identification, Voting or Public Benefit Purposes” printed on the front of the card.

**What does the black banner on my card stating “Not Valid For Federal Identification, Voting or Public Benefit Purposes” mean?**

This banner means that the card cannot be used to board commercial airplanes or enter federal facilities. The card can also not be used to vote or apply for public benefits. This banner is on cards issued to undocumented and temporary legal immigrants.

**Will a driver license issued under CO-RCSA SB251 (C.R.S. 42-2-500) allow me to get license plates?**

Yes, you will be able to get Colorado license plates.

**Can a minor apply for a driver license under this program**?

Yes, the same graduated driver license requirements apply as with a U.S. citizen’s minor driver license.

**Can I get a motorcycle endorsement?**

Yes, you will be required to take and pass the required testing in order to obtain this endorsement.

**Can I obtain a Commercial Driver License under CO-RCSA SB251 (C.R.S. 42-2-500)?**

If you can demonstrate temporary lawful presence in the U.S., you will be eligible to apply for a Commercial Driver License or Commercial Driving Learner’s Permit.

**I'm a temporary legal immigrant, what will I need to bring with me to obtain a driver license or identification card under CO-RCSA SB251 (C.R.S. 42-2-500)?**

If you can demonstrate temporary lawful presence in the U.S. in accordance with C.R.S. 42-2-506, you will also need to bring documents that prove your name, date of birth, identity and Colorado residency.

**I'm an undocumented immigrant, what do I need to do to apply for a driver license or identification card?**

You will need to provide documents that prove your name, date of birth, identity and Colorado residency and according to CO-RCSA SB251 (C.R.S. 42-2-500), individuals who cannot demonstrate lawful presence, will be required to follow the process below:

* The applicant must meet one of the two following requirements: C.R.S. 42-2-505(II)
  + **1)** Sign an affidavit that states that you are currently a resident of Colorado, present evidence of residence in Colorado, and present Proof of Return Filing for the immediately preceding year; or
  + **2)** Sign an affidavit that states that you have continuously been a resident in Colorado for the immediately preceding 24 months, and present evidence of current residence in Colorado and for the immediately preceding 24 months.
* You must provide documentation of your Individual Taxpayer Identification Number (ITIN) issued by the U.S. Internal Revenue Service.
* You must sign an affidavit that you have applied to be lawfully present within the United States or you will apply to be lawfully present as soon as you are eligible.
* You must also provide one of the following documents from your country of origin:
  + **1)** A Passport;
  + **2)** A Consular Identification Card; or
  + **3)** A Military Identification Document

**Are there any special requirements for the Passport, Consular Identification Card or the Military Identification Document?**

Yes, they must contain your full legal name, date of birth, date of issuance, country of issuance and your photograph. These documents will be accepted 10 years from the listed expiration date. Documents without an expiration date will be accepted 10 years from issuance date.

**Will the Department provide all of the affidavits that need to be signed?**

Yes, the affidavits will be available at Driver License Offices. They can also be found on the DMV website.

**What if my Documents are not in English? Will I be able to use them?**

All documents presented to the Department at the time of the application appointment must be in English or be translated into English. If they are translated into English, then you must present the original documents and corresponding translated documents. All costs associated with translating the documents will be at the applicant’s expense. Translation services are not provided by the Department.

**What documents can be used to show proof of current Colorado residency?**

Evidence of residence in Colorado may be demonstrated by presenting documents that include your name, date of the document and a Colorado address. The document presented for the current year must match the address of your current residence. Examples include, but are not limited to: utility bill, credit card statement, pay stub or earnings statement, rent receipt, telephone bill, transcript or report card from an accredited school, bank statement or checkbook, mortgage document, tax document, homeowners/renter’s insurance policy, vehicle registration and other items with an address that can be reviewed by Driver License staff.

**How many proof of Colorado residency documents will be required to prove “evidence of current residence in Colorado for the immediately preceding 24 months?”**

Three documents:

* A document from the current year (date on the document must not be older than one year from date of application). This document must have your current Colorado address.
* A second document to show Colorado residency from one year prior (date on the document must be between 12 and 24 months prior to application); and
* A third document to show Colorado residency from two years prior (date on the document must be between 24 and 30 months prior).

Examples of these documents include a vehicle registration, medical records, pay stubs, rental agreements, bank statements, utility bill, phone bill, etc.

**What documents do I need to prove temporary lawful presence?**

An unexpired foreign passport bearing a your photograph in conjunction with a valid, unexpired U.S. visa and I-94 showing class and expiration date that is verified using the Systematic Alien Verification for Entitlements (SAVE) or a valid employment authorization document (EAD) including I-766, I-688, I688A, and I-688B that is verified using SAVE.

**I use a PO Box as my mailing address. Do I need something to show my physical address?**

Yes. You will need one document that shows your physical address (such as a real estate or lease document).

**What is an ITIN and how do I get an ITIN?**

An ITIN is an Individual Taxpayer Identification Number, issued by the U.S. Internal Revenue Service (IRS). For additional information, please visit the [IRS’s website](https://www.irs.gov/individuals/individual-taxpayer-identification-number).

**Do I need to show proof of my ITIN?**

Yes. Proof of ITIN can be shown through a certified Colorado proof of tax return filing obtained from the Colorado Department of Revenue, an ITIN card issued by the IRS or the green ITIN letter sent by the IRS.

**I am not able to demonstrate lawful presence, but I have a Social Security number. Can I use my Social Security number in place of an ITIN?**

No. Individuals who are unable to demonstrate lawful presence in the U.S. must have an ITIN to apply for a driver license, instruction permit or identification card under the Colorado Road and Community Safety Act.

**Any other ITIN Questions?**

Must go through the IRS.

**What documentation will be required to show Proof of Return Filing?**

Tax Return Filing proof consists of a certified copy of the Colorado income tax return form DR 5714. The return shows:

1. Individual's name
2. Individual's address
3. The Tax Period (or Year, for example, 2013 income tax)
4. Whether the return was filed as a full-year or part-year resident.

If part-year, the taxpayer has to list the beginning and ending dates on the tax form. This information is contained on the Colorado individual income tax form, whether filed electronically or on paper. The DR 5714 form is also available [here](http://www.colorado.gov/pacific/sites/default/files/251DR5714.pdf). If you do not have access to the internet, you can call the Taxation Call Center to request a copy of the DR 5714 form, at 303-238-7378.

**Do I need to have the Tax Return Filing form (DR5714) notarized?**

Yes, the form must be notarized, once it is filled out accurately and completely.

**How long will it take for me to get my tax return from the Colorado Department of Revenue and how much will it cost?**

It will take from seven to 10 business days following receipt of your request (not including mailing time) to receive your copies. If your request results in more than 10 pages you will be notified of the total cost. The first 10 pages are provided free of charge. Subsequent pages cost $0.25 per page. Copies will not be released until we receive payment. On June 1, 2017, the Department of Revenue started issuing the first page only for SB251 certified proof of tax return requests. This page will fulfill the requirement for the certified proof of tax return for issuance of an SB251 driver license, identification card or instruction permit.

**I have an appointment in early 2020 and I will not have a 2019 Certified Tax Return Filing for my appointment because it is so early on in the year. Will you accept my 2018 Certified Tax Return Filing to demonstrate Colorado residency?**

Yes, we will accept 2018 Certified Tax Return Filing until June 30, 2020. As of July 1, 2020, customers must have their 2019 Certified Tax Return Filing to demonstrate Colorado residency.

**What is the process to obtain a driver license or ID card?**

When you arrive for your appointment, you will meet with a staff member who will review your documentation. If the documents meet the requirements of CO-RCSA SB251 (C.R.S. 42-2-500), you will be provided with an application. The rest of process depends upon whether you are applying for a driver license, driver permit or an identification card.

**How long will the process take?**

The process can vary depending upon the type of card you are applying for: a driver license, driver permit, or an identification card. Each appointment is scheduled for one hour.

