

Acceptable Documents by Status

- Proof of Legal Presence -
(January 10, 2023)

Section 46.2-328.1 of the *Code of Virginia* identifies only the following individuals as eligible for a Virginia driver's license or ID card. Any documents presented are subject to verification by DMV.

STATUS	ACCEPTABLE DOCUMENTS
Citizens of the United States	<ul style="list-style-type: none"> • Official birth document issued by a U.S. state, jurisdiction or territory (Birth documents issued by a hospital, notifications of birth registration, are not accepted.) • Unexpired U.S. passport or U.S. passport card (Temporary passports are not accepted.) • U.S. Certificate of Naturalization • U.S. Certificate of Citizenship • Consular Report of Birth Abroad (FS-240) • Certification of Report of Birth of a U.S. Citizen (DS-1350) • Certificate of Birth Abroad (FS-545) • Canal Zone Government Certificate of Live Birth (Panama Canal Zone) when presented with proof of the holder's parent's U.S. citizenship at the time of birth • U.S. Citizen Identification Card (I-179, I-197) • USCIS form I-797 approval notice for an N-400 petition displaying applicant's name • USCIS form I-797 receipt notice for an N-565 petition displaying applicant's name • USCIS form I-797 approval notice for an N-600 petition displaying applicant's name • Virginia Certificate of Foreign Birth WITHOUT "not evidence of U.S. citizenship" indicator (does not need to be elevated for review). • Virginia Certificate of Foreign birth with "not evidence of U.S. citizenship" indicator can be accepted in conjunction with proof of one parent's U.S. citizenship (these cases should be elevated to IR for review) • Certificate of Foreign Birth issued by another U. S. state, jurisdiction (borough, city, county, town, etc.), or territory presented with one parent's U. S. citizenship document.
Legal Permanent Residents of the United States	<ul style="list-style-type: none"> • Unexpired Resident Alien Card or Permanent Resident Card (I-551) • Unexpired temporary I-551 stamp on an I-94, with photograph of the bearer • Unexpired foreign passport with an unexpired or expired U.S. visa and an unexpired I-94, entry stamp or I-551 stamp • USCIS form I-797 receipt notice for an I-90 application displaying applicant's name • USCIS form I-797 approval notice for an I-751 petition displaying applicant's name • Unexpired foreign passport with an unexpired U.S. Immigrant Visa presented within one year of entry.
Conditional Resident Aliens of the United States	<ul style="list-style-type: none"> • Unexpired Permanent Resident Card (I-551) valid for two years • USCIS form I-797 receipt notice for an I-751 petition displaying applicant's name • Unexpired foreign passport with an unexpired U.S. Immigrant Visa presented within one year of entry.
Holders of a valid, unexpired nonimmigrant visa status	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID) • Unexpired foreign passport with any one listed below: <ul style="list-style-type: none"> ○ Unexpired or expired U.S. visa and unexpired I-94 <ul style="list-style-type: none"> ▪ F1/F2 applicants must present an I-20

	<ul style="list-style-type: none"> ▪ J1/J2 applicants must present a DS-2019 <ul style="list-style-type: none"> ○ Unexpired I-94W • Unexpired passport from Canada or Micronesia with an unexpired I-94 • USCIS form I-797 receipt or approval notice for an I-129 petition displaying applicant's name • Official letter from the USCIS indicating that the applicant's original I-797 petition for an I-129 has been received and a duplicate notice cannot be issued. • USCIS form I-797 receipt or approval notice for an I-539 or an I-129 petition displaying applicant's name • USCIS form I-797 approval notice for an I-914 or an I-918 petition displaying applicant's name
Individuals with a pending or approved application for asylum in the United States	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID) • Asylees may present documentation from the USCIS or U.S. Immigration Court such as a Form I-94 stamped Asylee indicating that asylum has been granted. • Applicants for Asylum may present an application for Asylum along with documentation from USCIS or U.S. Immigration Court indicating receipt of the application • USCIS form I-797 receipt or approval notice for an I-589 petition displaying applicant's name • USCIS form I-797 approval or fingerprint notice for an I-730 petition displaying applicant's name
Refugees	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID) • Unexpired Re-entry Permit (I-327) • Unexpired Refugee Travel Document (I-571) • Form I-94 Record of Arrival and Departure stamped Refugee • U.S. Department of Receptions and Placement Program Assurance Form and I-94 stamped Refugee
Individuals with pending or approved application for temporary protected status in the United States (In accordance with countries and time-frames published in the Federal Register)	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID) • USCIS form I-797 receipt, fingerprint, or approval notice for an I-821 petition displaying applicant's name • Official letter from USCIS indicating that the applicant's original I-797 petition for an I-821 has been received and a duplicate notice cannot be issued.
Individuals with approved deferred action status	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID) • Official letter from the USCIS indicating that the applicant has been granted Deferred Action Status
Individuals with a pending application for adjustment of status to legal permanent resident status or conditional resident status	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID) • USCIS form I-797 receipt or approval notice for an I-485 petition displaying applicant's name • Official letter from USCIS indicating that the applicant's petition for adjustment of status to permanent residency had been reopened and restored to a pending status.
All other individuals with any other status	<ul style="list-style-type: none"> • Unexpired Employment Authorization Document (EAD Form I-766) (not acceptable for REAL ID)