

Petition for a Variance
Proof of Name, Date of Birth, Identity and Residency
Minnesota Rule, Part 7410.0600

A petition for a variance provides a way for individuals to apply for a Minnesota driver's license or identification card, who do not have and are unable to obtain identification and residency documents required under Minnesota Rules 7410.0400 (*Documenting proof of name, date of birth, identity*), and/or part 7410.0410 (*Proof of residency*).

Your petition must be made in writing. The attached form is available to help you with this process but is not required. A processing fee of \$10 must be submitted with your request. If you do not provide all required information your petition may be denied.

Documentation. When petitioning for a variance, you must submit written documentation of the reasons why a variance should be granted, including the reasons the required documents are not available. You must also provide additional information regarding your name and identity.

Most identity documents can be obtained from the initiating city, county, state, and federal jurisdictions. A reasonable attempt should be made to obtain documents from these jurisdictions before submitting a petition for a variance. If you are unable to obtain documents from these authorities please provide documentation from the jurisdiction stating that the documents are not available.

Decision. You will be notified of a decision by mail within 30 days of receipt of your request.

Instructions

Step 1: Provide your full legal name and residence address. (*Section A*)

Step 2: Explain why you are requesting a variance. Include reasons why you are unable to obtain a primary and secondary document as required under Minnesota Rules. (*Section B*)

Step 3: List supporting documents and additional information regarding name and identity or legal residency. (*Section C*)

Attach readable photocopies of all supporting documents.

(*For example: documents showing; date and place of birth, place of residence, military service information, social security number, immigration information, marriage certificates, school records, or any arrest information.*)

Step 4: The fee for consideration of your petition is \$10.
Make checks payable to *Driver and Vehicle Services*

Step 5: Submit your petition and check or money order to:

Driver and Vehicle Services
Variance Request
445 Minnesota Street, Suite 183
Saint Paul, MN 55101

Petition for a Variance

Minnesota Rules, Part 7410.0600

Section A		
Minnesota DL or ID Number (if available)	Date of Birth (mm/dd/yyyy)	
Name (First, Middle, Last)		
Street Address	Apt/Unit #	
City	State	ZIP

Office Use Only

File Number _____

Fee Paid _____

Date Received _____

Attach additional pages if needed.

Section B: Explain why you are requesting a variance.
(Include reasons why you are unable to obtain documentation needed to complete your application.)

Section C: List supporting documents and additional information regarding name and identity or legal residency.
For example: date and place of birth, place of residence, military service information, social security number, immigration information, marriage certificates, school records, any arrest information.

I attest to the accuracy of the information provided in this petition for variance from Minnesota Rules, parts 7410.0400 and/or 7410.0410.

Signature _____

Date _____

Proof of Residency

Proof of residency is required. You must live in Minnesota and demonstrate proof of either lawful short-term admission to the United States, permanent United States resident status, indefinite authorized presence status, or United States citizenship.

Documents not sufficient to prove residency. A driver's license, permit, or identification card from another jurisdiction or another United States state is not acceptable as proof of permanent United States resident status, indefinite authorized presence status, lawful short-term admission to the United States, or United States citizenship.

Documents sufficient to prove residency. To demonstrate permanent United States resident status, indefinite authorized presence status, lawful short-term admission to the United States, or United States citizenship, you must present a document specified in part 7410.0400, subpart 1 or 2. (*See Identification Requirements List – Primary Documents*) If the document presented to demonstrate lawful short-term admission does not indicate a date that the admission period ends or if the date has been extended, you must present additional documentation issued under the authority of the United States Department of Justice or the United States Department of Homeland Security that indicates the duration of your lawful short-term admission status.

Lawful short-term admission status. If the lawful admission period indicated on your federal primary document presented expires in 30 days or more from the date of application you will be issued a driver's license, permit, or identification card with a status check date that coincides with the lawful admission period on the federal primary document presented.

If the lawful admission period expires in less than 30 days from the date of application you will not receive a driver's license, permit, or identification card. Instead a receipt for your application will be issued.

No lawful admission status. The department will not issue a driver's license, permit, or identification card if you do not have lawful admission status to the United States.

Reissuance. A driver's license, permit, or identification card shall be reissued with a new status check date if you present an employment authorization card (I-688B, I-766 series) or notice of action (I-797A series) issued by the United States Department of Justice or the United States Department of Homeland Security to indicate extension of the lawful admission period.

If you present an accepted application from the United States Department of Justice or the United States Department of Homeland Security for an extension of or change in the federal lawful admission period, the driver's license, permit, or identification card will be reissued with a status check date extension of six months from the date of the federal receipt for the extension or change.

The state document will be reissued for a second six-month period if you present a subsequent federal document or information indicating a decision by the federal government on the extension or change of status is still pending. After one year, any extension request shall be handled through a request for a variance under part 7410.0600.

If you present a subsequent federal document indicating permanent United States resident status, indefinite authorized presence status, or United States citizenship, a driver's license permit, or identification card will be reissued without a status check date.

Documenting proof of name, date of birth and identity

If you cannot present one primary document and one secondary document as proof of full name, date of birth, and identity (*See Identification Requirements List*) you may provide other documentation for review. (For example: documentation showing; date and place of birth, place of residence, military service information, social security number, immigration information, marriage certificates, school records, or any arrest information.)

Full name required. Your full name is required on your driver's license, permit, or identification card.

“Full name” means: an individual's first name, one or more middle names if listed on the primary document, and one or more last names as they appear on a primary document.

Evidence required for name change. If you have changed your legal full name as it appears on the presented primary document you must also present legal name change documents.

To verify the name change, you must present one of the following documents:

- (1) A copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;
- (2) A certified copy of a court order specifying the name change; or
- (3) A certified copy of a divorce decree or dissolution of marriage granted the applicant that specifies the name changes requested from a court of competent jurisdiction.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



DO YOU HAVE PROPER IDENTIFICATION? Identification Requirements



Minnesota Rules Parts 7410.0100 to 7410.0600

To apply for a Minnesota driver's license, identification card, or permit, you may present either:

- A Minnesota driver's license, identification card, or permit that is current or expired for five years or less if it has a photo or one year or less if it does not have a photo.

If you do not have one of the items listed above, you must present one primary and one secondary document. The primary document must contain your full name and the month, day, and year of your birth. Any document not in English must be accompanied by a qualified English translation.

If the name on your Minnesota driver's license, identification card, or permit has changed or the names on your primary and secondary documents do not match, you must also present proof of your legal name change(s). Acceptable proof consists of certified marriage certificates, certified divorce decrees, or other certified court orders. Divorce decrees or other court orders must specify the name change. Your identity and name change documents need to show a clear link between your primary and secondary documents.

The name on the Minnesota driver's license, identification card, or permit that is issued to you will be the name on the primary document or legal name change document.

If you are a temporary United States resident, you may need to show additional proof of your lawful admission period, such as a form I-20, DS-2019, I-797, or other official immigration document or receipt.

Documents are subject to verification and may not be accepted if laminated or otherwise altered.

Primary Documents

- Certified birth record issued by a government bureau of vital statistics or board of health in the United States, District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands.
- Certificate of Birth Abroad (FS-545 or DS-1350) issued by the U.S. Department of State.
- Report of Birth Abroad of a United States Citizen (FS-240) issued by a U.S. embassy.
- Certified adoption certificate from a U.S. court.
- Valid, unexpired U.S. passport book or card.
- Secure, unexpired Minnesota tribal identification card.
- Unexpired active duty, reserve or retired U.S. military identification card (DD-2 or Geneva Conventions Common Access Card).
- Valid, unexpired passport from a country other than the U.S. with an unexpired I-94 form or with an unexpired I-551 stamp.
- Canadian birth or naturalization certificate with an unexpired I-94 form attached. (Must be presented with a photo Secondary Document issued by a Canadian government agency.)
- One of the following valid, unexpired documents issued by the U.S. Department of Justice or U.S. Department of Homeland Security.
 - Employment Authorization card with photo (I-688 or I-766 series)
 - Permanent Resident or Resident Alien card (I-551 or I-151)*
* Federal regulations (8 CFR Sec. 264.5) state that cards issued before age 14 are not valid if the cardholder is age 14 or older (unless the card expires before age 16).
 - Re-entry Permit/Refuge Travel Document (I-327, I-571)
 - Certificate of Naturalization (N-550, N-570, or N-578)
 - Certificate of Citizenship (N-560, N-561, or N-645)
 - United States Citizen Identification card (I-179 or I-197)
 - Northern Mariana Card (I-873)
 - American Indian Card (I-872)

Secondary Documents

- Another primary document.
- Photo driver's license, state identification card, or permit, issued by a U.S. state other than Minnesota, the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands, or a Canadian province or territory, that is current or expired for five years or less.
- U.S. social security card (nonmetal) or Canadian social insurance card.
- Certified birth certificate from a government jurisdiction other than the U.S., the District of Columbia, Guam, Puerto Rico, or the U.S. Virgin Islands.
- Certified government-issued marriage certificate.
- Certified U.S. or Canadian court order with full name and date of birth.
- Certified secondary or post-secondary school transcript containing legal full name and date of birth.
- Current secondary school (grades 7-12) student identification card with student's name, photograph, and date of birth or unique identification number.
- Government employee photo identification card from a jurisdiction in the U.S. or Canada.
- Current identification card (DD-1173 or DD-214) issued by the U.S. Department of Defense.
- Unexpired color-photo permit to carry a firearm or concealed weapon, issued by a U.S. police department or sheriff.
- Current pilot's license issued by the Federal Aviation Administration.