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HELPFUL INFORMATION ABOUT OBTAINING A DRIVER'S LICENSE UNDER THE COLORADO ROAD & COMMUNITY SAFETY ACT (CO-RSCA)

WHO DOES THIS AFFECT?

- Undocumented Colorado residents will be able to apply for restricted licenses.
- Colorado residents who have temporary lawful status will no longer be eligible for unrestricted driver's licenses, but they will be able to apply for restricted licenses.

WHAT DOES A "RESTRICTED LICENSE" MEAN?

- Restricted licenses will allow the holder to legally drive in Colorado.
- The license cannot be used for federal identification, application for public benefits, voter registration, proving lawful status, boarding airplanes, or as proof of eligibility for employment.

WHAT ARE THE REQUIREMENTS FOR UNDOCUMENTED COLORADANS TO GET A DRIVER'S LICENSE?

- Affirm via affidavit that you are a resident of Colorado, and demonstrate residence in one of two ways:
 - Provide proof of filing taxes in Colorado for the previous year and evidence of current residence; or
 - Provide evidence of Colorado residence: 0-3 months ago, 10-14 months ago, and 24-28 months ago.¹
- Provide proof that you have been assigned an Individual Taxpayer Identification Number (ITIN).
- Affirm via affidavit that you have applied for lawful status in the U.S. or will as soon as you are eligible.
- A passport, consular ID, or military ID from your country of origin.
- Pass the traditional DMV written and driving tests.
 - The written test is available in Spanish. For other languages you can bring an interpreter.
 - The DMV does not offer the driving test in other languages. You cannot bring an interpreter for the driving test, but you can use a third-party tester that offers the driving test in your language.
- All documents must be in English or translated into English.

WHAT IS THE APPLICATION PROCESS TO GET A DRIVER'S LICENSE FOR UNDOCUMENTED PEOPLE?

Only five DMV locations will be issuing driver's licenses to undocumented Coloradans:

- **Denver:** 1865 W. Mississippi Ave., #C, Denver, CO 80223
- **Aurora:** 14391 E. Ave., Aurora, CO 80011
- **Colorado Springs:** 2446 N. Union Blvd., Colorado Springs, CO 80909
- **Fort Collins:** 3030 South College, Ste.100, Fort Collins, CO 80525
- **Grand Junction:** 222 S. 6th St., #111, Grand Junction, CO 81501

You **MUST** make an appointment with the DMV. At that appointment you will present all your documents, fill out an application, and you should be prepared to take the written and the driving tests. To schedule an appointment call (303) 205-2335, or make the appointment online.² Currently, all appointment times are booked until October 31, 2014, and the DMV is not currently making appointments past that date.

WHAT CAN I DO WHILE I WAIT FOR AN AVAILABLE APPOINTMENT TIME?

- Gather documents to prove your Colorado residency.
- Get a copy of your proof of return filing for Colorado taxes, which can take several weeks.
- If you do not have either a passport, consular ID, or military ID from your country of origin, apply for one now as it will take time to receive the ID from your consulate.
- If you do not have an ITIN, go to a Taxpayer Assistance Center for help applying for one. It can take longer than 10 weeks, and the application usually needs to be filed with a federal tax return.

¹ Documents must include your **name**, a **date**, and your **Colorado address**. Documents can include bills, school records, or rent receipts.

² <https://www.colorado.gov/apps/jboss/dor/online/appointment/scheduling/select-service.xhtml>. Select the "DL, ID Card, or Permit (CO-RSCA SB251)" service.

WHAT ARE THE REQUIREMENTS FOR THOSE TEMPORARILY LAWFULLY PRESENT TO GET A LICENSE?

- Provide documents that prove temporary lawful status.
- Provide proof of residency in Colorado.
- Provide documents with your name, age, and identity.

WHAT IS THE PROCESS TO GET A DRIVER'S LICENSE FOR THOSE WITH TEMPORARY LAWFUL STATUS?

- Those with temporary lawful status, including visa holders and DACA recipients, will apparently need to make an appointment at one of the above-listed 5 DMVs. This is the policy at present.
- You will be checked in the SAVE database to ensure that you have temporary status. You may need to return on another day after the DMV has verified your temporary lawful status.

WILL I NEED TO GET A PERMIT BEFORE GETTING MY LICENSE?

- You will need to get a permit before you are able to take the driving test and get a license.
- You will have to pay the cost for the permit in addition to the cost of the driver's license.

HOW MUCH WILL A DRIVER'S LICENSE COST?

- A permit will cost \$20. A driver's license will cost \$50.50.³ An identification card will cost \$14.00.

WHAT SHOULD I DO IF I HAVE A TRAFFIC RECORD?

Even for an undocumented person who could not qualify for a license before the change in the law, the DMV could suspend or revoke your *privilege* to drive based on certain traffic infractions or offenses. Do not apply for a driver's license while your privilege to drive is under suspension or revocation. Some reasons your privilege to drive might be suspended or revoked include:

- Receiving too many points against you.⁴ You get points charged against you every time you get a ticket or get a traffic conviction, even if you paid the ticket.
- DUI, DWAI, other alcohol-related traffic convictions, or refusing to take a breath or blood test.
- Not paying child support
- Having an outstanding arrest warrant.

There are ways to investigate whether your privilege to drive is under suspension or revocation, such as obtaining a copy of your DMV driving history. Under some circumstances, there is a process to get your privilege reinstated early. As well, if you have a pending traffic case, there are ways to resolve such cases without triggering or extending the period of suspension or revocation. The Meyer Law Office, PC provides assistance relating to the privilege to drive, eligibility for reinstatement, and representation in traffic cases.

WHAT IF I APPLIED FOR A DRIVER'S LICENSE IN THE PAST USING FALSE DOCUMENTS/INFORMATION?

If you have applied for a driver's license in the past using false information or false documents, you may face felony criminal charges related to identity theft, fraud, forgery, or criminal impersonation. The DMV uses biometric fingerprint and facial recognition technology to investigate applicants. If you ever applied using a different name, social security number, or other information before, DMV is likely to refer you to DMV investigators instead of issuing a license.

If this situation applies to you, DO NOT APPLY for a driver's license until you have first talked with an attorney. The Meyer Law Office, PC can assist you with DMV investigation issues and defense representation.

³ Projected costs by the DMV are subject to change.

⁴ For adults 21 years or older, licenses are suspended if you receive 12 points within 12 months or 18 points within 24 months. For individuals 18-20 years old, licenses are suspended if you receive 9 points in 12 months, 12 points in 24 months, or 14+ points between the ages of 18 and 21. For individuals under 18, licenses are suspended if you receive 6 points in 12 months, or 7+ points before turning 18.