

## Frequently Asked Questions about the Colorado Road and Community Safety Act (CO-RCSA SB251 C.R.S. 42-2-500)

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### About the law

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1. Q: Who does CO-RCSA SB251 (C.R.S. 42-2-500) apply to?  
A: CO-RCSA SB251 applies to all individuals who can demonstrate temporary lawful presence in the U.S. as defined in Section 42-2-503 (3) and individuals who are unable to demonstrate lawful presence in the U.S.
2. Q: What if I have questions about this new law?  
A: You may go onto the Division of Motor Vehicles website to get information ([www.colorado.gov/dmv](http://www.colorado.gov/dmv)) or call 303-205-2335.
3. Q: How long will a driver license or identification card be valid?  
A: 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 twenty days after the minor's twenty-first birthday, whichever comes first.
4. Q: Is there an additional fee for a document issued under CO-RCSA SB251 (C.R.S. 42-2-500)?  
A: 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.
5. Q: Will the driver licenses, driver permits and identification cards be marked differently?  
A: Yes, all documents issued under CO-RCSA SB251 (C.R.S. 42-2-500) will have a black banner with the wording "Not Valid For Federal Identification, Voting or Public Benefit Purposes" printed on the front of the card.

6. Q: What does the black banner on my card stating “Not Valid For Federal Identification, Voting or Public Benefit Purposes” mean?  
A: 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 individuals who are not able to demonstrate lawful presence as well as individuals who are able to demonstrate temporary lawful presence.
7. Q: Will a driver license issued under CO-RCSA SB251 (C.R.S. 42-2-500) allow me to get license plates?  
A: Yes, you will be able to get Colorado license plates.

## Types of licenses

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8. Q: Can a minor apply for a driver license under this program?  
A: Yes, the same graduated driver license requirements apply as with a U.S. citizen’s minor driver license. Please reference the Department’s website ([www.colorado.gov/dmv](http://www.colorado.gov/dmv)) for specific information.
9. Q: Can I get a motorcycle endorsement?  
A: Yes, you will be required to take and pass the required testing in order to obtain this endorsement. Please reference the Department’s website for additional information ([www.colorado.gov/dmv](http://www.colorado.gov/dmv)).
10. Q: Can I obtain a Commercial Driver License under CO-RCSA SB251 (C.R.S. 42-2-500)?  
A: 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.

## Appointments

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11. Q: Can I walk into any DMV office?  
A: Those who are able to demonstrate temporary lawful presence may use any [state driver license office](#). Those who cannot demonstrate lawful presence must make an appointment by going to [www.colorado.gov/dmv](http://www.colorado.gov/dmv) or calling 303-205-2335. Appointments take place at the following driver license offices:
- Denver Central – 1865 W. Mississippi Ave., #C, Denver (Moving to 3265 S. Wadsworth Blvd. on March 27, 2017)
  - Grand Junction - 222 S. 6th St., #111, Grand Junction
  - Colorado Springs - 2447 N. Union Blvd., Colorado Springs
12. Q: Do I need to make an appointment to apply for the driver license or ID card?  
A: Those who are unable to demonstrate lawful presence may go onto the Division of Motor Vehicles website ([www.colorado.gov/dmv](http://www.colorado.gov/dmv)) or call 303-205-2335 to make an appointment.

If you are able to demonstrate temporary lawful presence in the U.S., you can apply at any of the [state driver license offices](#). No appointment is necessary for a renewal, written test, application and review of documents or instruction permit. However, you will need to make an appointment for a driving test. You can make an appointment (use gray boxes) via our [appointment scheduling](#) website at the offices that have scheduling capabilities or call 303-205-5901 to schedule a driving test.

13. Q: Can more than one person obtain a driver license, ID card or permit at a single appointment?

A: No. Only one person may obtain a driver license, ID card or permit per appointment.

14. Q: What if the name and date of birth on my appointment does not match my name and date of birth?

A: Only the individual whose name and date of birth matches the appointment information will be accepted at the time of the appointment. You may not use another person's appointment. If you have made an appointment you no longer need, please cancel that appointment so that someone else may use that appointment time.

15. Q: Does the DMV charge for appointments?

A: No. The DMV never charges for an appointment.

## Necessary documents

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16. Q: 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 I can demonstrate temporary lawful presence in the U.S.?

A: 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.

17. Q: I cannot demonstrate lawful presence in the U.S., what do I need to do to apply for a driver license or identification card?

A: 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 twenty-four months, and present evidence of current residence in Colorado and for the immediately preceding twenty-four months.
- You must provide documentation of your Individual Taxpayer Identification Number (ITIN) issued by the US 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

18. Q: Are there any special requirements for the Passport, Consular Identification Card, or the Military Identification Document?

A: 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.

19. Q: Will the Department provide all of the affidavits that need to be signed?

A: Yes, the affidavits will be available at Driver License Offices and on the Department's website at [www.colorado.gov/dmv](http://www.colorado.gov/dmv).

20. Q: What documents can be used to show proof of current Colorado residency?

A: 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. The list is located on the Department's web site at <https://www.colorado.gov/dmv/proof-address>.

21. Q: How many proof of Colorado residency documents will be required to prove "evidence of current residence in Colorado for the immediately preceding twenty-four months?"

A: 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. Additional acceptable documents are listed on the Department's web site at <https://www.colorado.gov/dmv/proof-address>.

22. Q: What documents cannot be accepted as proof of Colorado residency?

A: Examples of documents that cannot be accepted include documents that give a date range, but not a specific issuance date; documents without a date; documents without an address; documents not in the applying individual's name and documents with an issuance date that is outside of the date range specified in question 21.

23. Q: What documents do I need to prove temporary lawful presence?

A: 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.

24. Q: What if my middle name is abbreviated on my passport, consular card or military ID?

A: If the middle name is abbreviated on the passport/consular card/military ID you present, you must present an additional document (such as a birth certificate) that demonstrates your full name. All documents presented must be in English or translated into English.

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

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

## ITIN

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26. Q: What is an ITIN? How do I get an ITIN?

A: 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 at [www.irs.gov/Individuals/Individual-Taxpayer-Identification-Number-\(ITIN\)](http://www.irs.gov/Individuals/Individual-Taxpayer-Identification-Number-(ITIN)).

27. Q: How do I know if I qualify for an ITIN?

A: All questions must be answered by the IRS. Please visit the IRS' web site at <http://www.irs.gov/Individuals/General-ITIN-Information> or call the IRS toll-free number at 1-800-829-1040.

28. Q: Where can I get help with my ITIN application?

A: An ITIN is issued by the U.S. Internal Revenue Service (IRS) and all questions must be answered by the IRS. Please visit the IRS' web site at <http://www.irs.gov/Individuals/General-ITIN-Information> or call the IRS toll-free number at 1-800-829-1040.

29. Q: 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?

A: 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.

## Proof of tax return filing

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30. Q: What documentation will be required to show Proof of Return Filing?

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

The return shows:

- (A) Individual's name
- (B) Individual's address
- (C) The Tax Period (or Year, for example, 2013 income tax)
- (D) 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 at

<https://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.

31. Q: Do I need to have the Tax Return Filing form (DR5714) notarized?

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

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

A: It will take from seven to ten 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.

Beginning June 1, 2017, the Department of Revenue will begin to issue 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.

33. Q: I have an appointment in early 2017 and I will not have a 2016 Certified Tax Return Filing for my appointment because it is so early on in the year. Will you accept my 2015 Certified Tax Return Filing to demonstrate Colorado residency?

A: Yes, we will accept 2015 Certified Tax Return Filing until June 30, 2017. As of July 1, 2017, customers must have their 2016 Certified Tax Return Filing to demonstrate Colorado residency.

## Translators/interpreters

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34. Q: Can I bring an interpreter with me to assist when taking the written and driving tests?

A: Yes, you may use your interpreter with the written test but not the driving test. Interpreters may not be used for commercial driver license (CDL) driving or written tests.

35. Q: May I use an interpreter for my Commercial Driver License (CDL) test?

A: No. CDLs are federally regulated and interpreters are not permitted for the written or driving test. CDL tests, with the exception of the HazMat endorsement test, are available in English and Spanish.

36. Q: What are the requirements for an interpreter?

A. The interpreter must be over 16 years old and have a valid driver license.

37. Q: What if my Passport, Consular Card, or Military Identification Document is not in English? Will I be able to use it?

A: 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.

38. Q: What are the requirements for Translators?

A: Translators must provide the following statement at the end of the translated documents and it must be typed or electronically printed on the same page as the translation, not on separate pieces of paper or the translation will not be accepted by the Department. It must state:

"I, \_\_\_\_\_, affirm that the foregoing is a complete and accurate translation from (insert name foreign language) to the English language to the best of my ability. I further affirm that I am fully competent to translate from (insert name of foreign language) into the English language and that I am proficient in both languages."

If interpreting during the test, the person performing the translation must provide an unexpired driver license or identification card number and their full legal name.

## Process

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39. Q: What is the process to obtain a driver license or ID card?

A: 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.

40. Q: How long will the process take?

A: 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.

41. Q: What happens if I do not pass the written test during my appointment?

A: You will be provided the opportunity to take the written test two times during your appointment provided you get more than 50 percent of the questions correct on the first test. If you are unsuccessful in passing the written test the second time, you will be required to schedule another appointment.

42. Q: What happens if I do not pass the driving test during my appointment?

A: Individuals who failed a driving test during a CO-RCSA appointment that took place after May 4, 2016 may return to a CO-RCSA office on a space available basis. HB16-1415 specifies individuals have the option of taking the driving test at a 3rd party school within 60 days of failing the test at the driver license office. Once they pass the test at a third party school, individuals then have 180 days to return to an office that offers CO-RCSA services and present their passing certificate, identification documentation used to obtain their permit, valid instruction permit and proof of Colorado residence and pay a \$15 retest fee.

43. Q: Can I get a driver license under CO-RCSA SB251 (C.R.S. 42-2-500), if I have an out of state license?

A: You will need to meet the other qualifications of CO-RCSA SB251 (C.R.S. 42-2-500) in order to be issued a Colorado Driver License, even if you currently have an out of state driver license. If your driver license has been expired for more than one year, then you will need to retake and pass the written and driving tests, regardless of whether you currently have an out of state license.

44. Q: I previously had a Colorado Driver License and it expired. I am not lawfully present. What do I do?

A: You will need to meet the other qualifications of CO-RCSA SB251 (C.R.S. 42-2-500) in order to be issued a Colorado Driver License, even if you previously had a Colorado Driver License. If the driver license has been expired for over one year, you will need to retake and pass the written and driving tests.

45. Q: What is the Division of Motor Vehicles Exception Processing (EP)?

A: If you cannot provide the required documents to prove your identity for a driver permit, driver license or identification card (ID) , then you may be eligible for Exception Processing (EP), in which you will be able to provide additional or alternative documents to prove your identity.

46. Q: Can I get a driver license under SB251 (C.R.S. 42-2-500) if I currently have a suspended driver license?

A: No. You need to complete your suspension and go through the regular [reinstatement process](#) before you are eligible for a new driver license.



47. Q: How do I renew my SB251 driver license, instruction permit or identification card?

A: For individuals who are unable to demonstrate lawful presence, the department has developed the following renewal process (driver license, instruction permit, or identification card):

Make an appointment at one of the three driver license offices that offer this service:

- Westgate: 3265 S. Wadsworth Blvd., Lakewood
- Colorado Springs: 2447 N. Union Blvd, Colorado Springs
- Grand Junction: 222 S. 6th St, #111, Grand Junction

At this appointment, the applicant must present the following:

- The previously issued CO-RCSA issued document (driver license, instruction permit, or identification card) NOTE: If the driver license has been expired for more than one year, the person will need to retake the written and drive tests
- Proof of residency
  - Option 1: Sign an affidavit that the applicant is currently a resident of Colorado, present proof of return Colorado tax filing for the immediately preceding year, and proof of current residency in Colorado; or
  - Option 2: Sign an affidavit that the applicant has continuously been a resident in Colorado for the immediately preceding twenty-four months and presents proof of residency in Colorado for the immediately preceding twenty-four months (3 documents required)
    - 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)
    - A third document to show Colorado residency from two years prior (date on the document must be between 24 and 30 months prior)
- If the applicant had a name change, the applicant will need to provide an approved name change document:
  - Certified Divorce Decree; Certified Court Ordered Name Change; Certified Adoption Court order; or Certified Marriage Certificate/Civil Union Certificate (This is the same process for all customers who are requesting a name change.)

## Testing

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48. Q: Can I go to a 3<sup>rd</sup> Party Tester to take the written and/or driving tests?

A: Yes, there is generally a 3<sup>rd</sup> Party Tester fee.

49. Q: Where can I get a list of state approved driving education schools?

A: They are listed on the Department website at [www.colorado.gov/dmv](http://www.colorado.gov/dmv).

50. Q: Does the Department provide the Driver Handbook in any language other than English?  
A: The Department provides the Driver Handbook in English and Spanish. Copies are available at the local Driver License Offices, online at ([www.colorado.gov/dmv](http://www.colorado.gov/dmv)), and at libraries.
51. Q: Will the written test be available in any language other than English?  
A: The state provides the test in English and Spanish. For additional languages, you may bring an interpreter with you. The commercial driver license (CDL) test, with the exception of the HazMat endorsement test, is available in English and Spanish. You may not use an interpreter any CDL test.
52. Q: What is needed for the vehicle I am using for the skills (drive) test?  
A: Valid vehicle registration and proof of valid insurance for the vehicle used during drive test is required. The vehicle will also need to pass a safety inspection to verify that items such as signal lights and brake lights are in working condition.