



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 6.02 Immigrant and Non-Immigrant Issuance

Section: 1. Issuance of Driver's License

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Authority:

Administrative

[R.S. 32:405.1](#)

[R.S. 32:409.1](#)

To view Louisiana Statutes: <http://www.legis.state.la.us/>

Definitions:

- **Immigrants** - Aliens who are **permanently** residing in the United States of America. Immigrant status may be obtained through a number of different procedures and is granted for life. Immigrant status may be revoked for specific serious crimes, such as treason, but this is not a common occurrence.
- **Non-immigrants** – Aliens who have been **temporarily** admitted to the United States.
- **I-94** – Arrival Departure Record
- **I-129** – Petition for a Non-Immigrant Worker
- **I-485** – Application to Register Permanent Residence or to Adjust Status
- **I-20** – Certificate of Eligibility for Non-immigrant Student Status for Academic and Language
- **I-20MN** – Certificate of Eligibility for Non-immigrant (M-1) Student Status – For Vocational Students
- **I-797** – Receipt for application for extension
- **DS-2019** – Certificate of Eligibility for Exchange Visitor
- **VISA** – A U.S. Visa allows the bearer to apply for entry to the U.S. in a certain classification (i.e. student (F), visitor (B), or temporary worker (H)). A Visa does not grant the bearer the right to enter the United States. Admission, length of stay, and condition of stay will be determined by U.S. Customs and Border Protection (CBP) immigration inspectors. The terms and length of admission will be determined at the time and recorded on the Arrival / Departure Record (I-94 or I-94W) and in the passport.

Requirements:

- **Acceptable Primary Documents**
 - Permanent Resident Card
 - Country of Nationality Passport
- **Must meet [Social Security Requirements](#)**

- **First-Time Applicants**
 - Any person applying for a driver’s license, must be acquire a temporary instructional permit, attend an approved driving school in Louisiana, and pass both knowledge and road skills tests.
 - If presenting a foreign driver’s license from a country that does not have a [reciprocal agreement](#) with the Department, you are required to obtain a temporary instructional permit and furnish [proof of driver education training](#). H2A Visa exception see Note 4.
- **Transferring to Louisiana**
 - Any person presenting a driver’s license from a foreign country that has a reciprocal agreement with the Department is exempt from driver education training requirements.
 - You may retain your out-of-country driver’s license.
 - Any person presenting a driver’s license from another state jurisdiction will need to follow this policy as well as Policy 18.00 Out-of-State Transfers.
- **Minors** – Must meet all requirements outlined in [Authorization/Licensing of a Minor’s Application for a Driver’s License](#).
 - For **foreign exchange students** only - In lieu of a parent’s signature, a Power of Attorney executed by a minor’s parent(s) and awarding legal guardianship of the minor child to another person is acceptable. This document must be maintained with the applicant’s file. Applicant must meet all other requirements.
- **Changing your immigration status to a citizen**
 - A United States Passport and/or a Naturalization Certificate is required.

Table 1: Immigrants Permanently Residing in the United States	
Class	Description / Details
Permanent Resident Card I-551	<p>Required Documentation - Current or expired permanent resident cards issued after July 1, 1997 (I-551) are acceptable. The card must be renewed through the Department of Homeland Security.</p> <ul style="list-style-type: none"> ○ It may take up to eighteen months to receive the Permanent Resident Card after approval is granted. The immigrant will have an I-551 stamp in the passport proving his resident status. Immigrants may have an I-94 or an unexpired re-entry document with the I-551 stamp. The Department of Homeland Security may also indicate on the Passport Visa that it is temporary proof of permanent residency (I-551). ○ The I-151 is no longer acceptable. ○ If the photograph on the I-551 was taken prior to the applicant’s 14th birthday and the applicant is now over the age of 14, the applicant must be referred to the Department of Homeland Security for Issuance of a new I-551 prior to processing the application, unless the I-551 expires before his/her 16th birthday. The Department of Homeland Security will issue a receipt for the updated I-551. ○ The Permanent Resident Card is required for each renewal. Photocopies are not acceptable. ○ A permanent resident is eligible for a Driver’s License or Identification Card that will expire six (6) years from the date of issuance and will continue to bear the Limited Term branding on the card(s).
Applicants for Permanent Residency I-485	<p>General - Application for adjustment of status to lawful permanent resident is made on the I-485 form.</p> <p>Required Documentation</p> <ul style="list-style-type: none"> ○ Applicants in the pending stage must show a receipt of application to the Department of Homeland Security. The receipt contains the applicant’s name and the fees paid. The applicant may have an employment authorization document during the pending process. ○ Once approved for permanent residency, the passport will have a Department of Homeland Security stamp, “Processing for I-551”. This stamp is proof of legal presence. The employment authorization document is picked up once this stamp is placed in the passport. Issuance of a permanent resident card may take up to 18 months. ○ A permanent resident is eligible for a Driver’s License or Identification Card that will expire six (6) years from the date of issuance and will continue to bear the Limited Term branding on the card(s).

<p>Refugee</p>	<p>Definition - A person who flees to a foreign country or power to escape danger or persecution. Required Documentation - A refugee may or may not have a passport in his or her possession when applying for permanent status. The applicant must have Form I-94 with a status code indicating “refugee”. Applicant should present an employment authorization document.</p> <p>Refugees are eligible for a Driver’s License or Identification Card that will expire six years from the date of issuance and will bear the Limited Term branding on the card(s).</p>
<p>Asylee</p>	<p>Definition - An immigrant in the United States or port of entry who is seeking protection because he/she has suffered or fear that he/she will suffer persecution. Requirements - Applicant should have an I-94 and a passport. Applicant may also present an Asylum Approval Letter or Order of Asylum by an Immigration Judge.</p> <ul style="list-style-type: none"> Asylees are eligible for a Driver’s License or Identification Card that will expire six (6) years from the date of issuance and will bear the Limited Term branding on the card(s).
<p>Compact of Free Association (COFA)</p>	<p>Per 6 CFR 37.11(c)(1)(x), a valid, unexpired passport issued by the Republic of the General - Marshall Islands, the Republic of Palau, or the Federated States of Micronesia with an approved Form I-94, documenting the applicant’s most recent admission to the United States under the Compact of Free Association between the United States and the nation that issued the passport shall be an acceptable form of identification and proof of indefinite legal presence in the United States of America. Any individual in the United States from all three nations are authorized to work incident to status. As such, they are not required to have an Employment Authorization Document (EAD) card.</p> <p>I-94 documents will still be entered into SAVE for authentication.</p> <ul style="list-style-type: none"> An applicant from a COFA country is eligible for a Driver’s License or Identification Card that will expire six (6) years from the date of issuance and will bear the Limited Term branding on the card(s).

Note: Applicants are eligible for a Social Security Number if status listed in Table 1.

Non-Immigrant Aliens

- Deadline on Issuance**

- A non-immigrant must show, upon **original application** for a Louisiana license or identification card, that there are at least **180 days** left on his/her I-94 or Employment Authorization Document. Otherwise, the applicant shall be denied a Louisiana driver’s license or identification card.
- Effective August 15, 2007, aliens with an H-2A VISA (agricultural workers) can be issued an original/first-time license if there are least **60 calendar days** left on their VISA document.
- Any non-immigrant applicant of any status is eligible to **renew** a driver’s license and/or identification card if there are at least thirty (30) days left on any document demonstrating legal presence.
- If a non-permanent resident is unable to timely renew his/her driver’s license due to expired documents, he/she will not be charged a delinquent (late) fee upon renewal.
- A Louisiana driver’s license is typically valid for six years. If a non-permanent resident alien has less than six (6) years of legal presence remaining on his/her immigration documents when applying for a driver’s license or identification card, the credential will be issued with a variable expiration date to reflect his/her last day of legal presence. The credential will display “Limited-Term”.

- I-94 General Notes**

- Canadian citizens** may or may not have an I-94 card, but must obtain a status from the Department of Homeland Security for driver’s license or identification card issuance.
- The I-94 document is acceptable in handwritten form or electronic printout from the U.S. Citizenship and Immigration Services.

- An applicant will often present an I-94 that is **expired**, but the applicant will have a valid employment authorization document, or vice versa. If the applicant can present valid documentation, whether it is one document or several, that documentation will suffice for legal presence.
- **Employment Authorization Document:** A photo ID issued by the Department of Homeland Security as evidence of employment authorization. The document is only valid during the validity period of the card. The employment authorization document has two form numbers, I-688B and I-766. Both forms are acceptable.
- **Table 2: Non-Immigrant Aliens** is a list of status codes that may be eligible for a Louisiana license or identification card. The attached listing is not inclusive. Other statuses may be considered for issuance of driver's licenses and identification cards.

Table 2: Non-Immigrant Aliens: Temporary Admittance to the United States			
Class	Description / Details	SSN Eligible (Note 1)	Requirements and Exceptions
A-1	Certain diplomats and their immediate family (Ambassador, Public Minister, Career Diplomat, or Consular Officer or Immediate family)	No	No issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter.
A-2	Certain diplomatic personnel and their immediate family (other foreign government official, employee, or immediate family)	No	Note: This letter is only valid 90 days from issuance.
A-3	Domestic staff of an A-1 or A-2 and the staff's person's immediate family (attendant, servant, or immediate family of personal employee of an A-1 or A-2)	Yes	
A-10	A status usually given to those who either are stateless or are from a country the USCIS has given Temporary Protected Status.	Yes	Employment Authorization Card
B-1	Temporary Visitor for Business	Yes (if EAD issued)	No issuance by OMV Exception is allowed only if an Employment Authorization Document is issued.
B-2	Tourist (temporary visitor for pleasure)	Yes	EAD card AND I-797 Notice of Action changing the B-2 status
B-1 / B-2 / BCC	Combination of B-1/B-2 and Border Crossing Card	No	No issuance by OMV
BCC	Border Crossing Card		
C-1	Alien in transit through the U.S.		
C-2	Representative in transit to or from the United Nations Headquarters District (Person in transit to United Nations Headquarters)		
C-3	Government Representatives in transit through the U.S. (foreign government official, immediate family, attendant, servant, or personal employee in transit)		
C-1/D	Combination transit/crew member Visa		
D	Crew member for sea or air		
D-1	Crewman staying on the same vessel	No	No issuance by OMV
D-2	Crewman changing to another vessel		

Class	Description / Details	SSN Eligible (Note 1)	Requirements and Exceptions
DV-1	Diversity Visa Winner	Yes	I-129
E-1	Treaty Trader, their spouse, and unmarried children under 21	No	1-94 or Employment Authorization Document for spouse
E-2	Treaty Investors, their spouse, and unmarried children under 21		
E-3	Australian Specialty Occupation Worker		
E-3D	Spouse or children under 21 of E-3		
E-3R	Returning E-3	No	1-94 or Employment Authorization Document
EX1	Schedule – A worker, new arrivals	Yes	
F-1 (Note 2)	Student (I-20)	Yes, if employed	I-94 AND I-20 AB or Employment Authorization Document
F-2 (Note 2)	Spouse or child of student	Yes, if employed	I-94 and I-20 AB and the F-1's I-20
F-3	Canadian and Mexican academic students who commute across the U.S. land border to attend school within 75 miles of the border	No	I-94 (Multiple Entry) and I-20
G-1	Principal representative of certain international organization, accredited members, their staff, and immediate family	No	No issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: This letter is only valid 90 days from issuance.
G-2	Other accredited representatives of certain international organizations and their immediate family	No	No issuance by OMV Exception is allowed only when an original letter on letterhead from the US Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: This letter is only valid 90 days from issuance.
G-3	Persons who qualify under G-1 or G-2 except that the government is not recognized by the U.S. or is not a member of the international organization and their immediate family		
G-4	International organization officer or employee and immediate family		
G-5	Domestic staff of a person or family member with status as a G-1 through G-4 and the staff person's immediate family		
H-1	Temporary worker of distinguished merit and ability		
H-1A	Temporary worker performing services as a Registered Nurse	Yes	I-94 or Notice of Action Form I-129 (I-797) or Employment Authorization Document
H-1B	Temporary worker of distinguished merit and ability performing services other than a		

	Registered Nurse		
H-1 B-1	Free Trade Agreement worker (Chile/Singapore)		
H-1C	Nurse in health professional shortage area		
Class	Description / Details	SSN Eligible (Note 1)	Requirements and Exceptions
H2A (Note 4)	Temporary worker performing agricultural services unavailable in the United States	Yes	I-94 or Notice of Action Form I-129 (I-797) or Employment Authorization Document
H2B	Temporary Worker performing other services		
H2R	Returning H-2B Worker		
H-3	Trainee and Special Education Exchange Program Visitors		
H-4	Spouse and unmarried children under 21 of H category workers and trainees	Yes, if approved by Social Security	I-94 or Notice of Action I-129 (I797) or Employment Authorization Document
I	Representative of foreign information media, spouse, and unmarried children under 21	Yes – Principal No - Spouse and children	I-94
J-1	Exchange Visitor Program: May be a student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialize knowledge or skill	Yes, if employed	I-94 DS-2019
J-2 (Note 3)	Spouse and unmarried children under 21 of a J-1 non-immigrant	Yes	I-94 or DS-2019 or Employment Authorization Document, if employed
K-1	Fiancée of United States Citizen	No	No Issuance by OMV. Note: Once married to a US Citizen, must provide the passport, marriage license certificate, and Notice of Action I-797 for change of status to be issued a DL/ID.
K-2	Unmarried children under 21 of a K-1 non-immigrant	No	No Issuance by OMV Note: After K-1 is married to a US Citizen, child must provide all documentation for the first time issuance and Notice of Action I-797 for change of status to be issued a DL/ID.
K-3	Spouse of a U.S. Citizen awaiting availability of immigrant VISA	Yes	I-94 or Employment Authorization Document, if employed
K-4	Certain unmarried children under 21 of a K-3 non-immigrant	Yes	I-94 or Employment Authorization Document, if old enough to legally work in the U.S.
L-1	Intra-company transferee employment verification	Yes	I-94 or Notice of Action I-129 (I-797) or Employment Authorization Document
L-1A	Intra-company transferees who are executives and managers		
L-1B	Intra-company transferees who have qualifying specialized knowledge		
L-2	Spouse and unmarried children under 21 of an L1-A or L1-B worker		
M-1 (Note 2)	Vocational Student	Yes	I-94 or I-20MN or Employment Authorization Document, for practical training purposes only
M-2	Spouse and unmarried children under 21 of an M-1 non-immigrant	No	I-94 or I-20 MN of M-1
M-3	Canadian and Mexican vocational students who commute across the U.S. land border to attend school within 75 miles of the border	Yes, if approved by Social Security	I-94 or I-20 MN (Employment Authorization Document, for practical training purposes only)

Class	Description / Details	SSN Eligible (Note 1)	Requirements and Exceptions
NATO 1-6 (Note 3)	NATO personnel on assignment in the U.S.		No Issuance by OMV Exception: Allowed only when an original letter on letterhead from the U.S. Department of State, Office of Foreign Missions, is presented indicating that the individual is not accorded diplomatic immunity or privileges. The individual would have to have an I-94 in addition to the letter. Note: The letter is only valid for 90 days from issuance.
N-8	Parent of an immigrant classified as SK-3 or SN3	Yes	I-94 or Employment Authorization Document
N-9	Children unmarried under 21 of N-8 or SK1-4, SN-1-2, or SN-4		
O-1	Non-Immigrant with extraordinary abilities in science, arts, education, business, or athletics	Yes	I-94 or Notice of Action I-129 (I-797)
O-2	Support personnel to an O-1 non-immigrant worker		
O-3	Spouse or child of O-1 or O-2 spouse and unmarried children under 21 of an O-1 or O-2 non-immigrant		
P-1	Internationally recognized athlete or entertainment group member		
P-2	Artist or entertainer in a reciprocal exchange program		
P-3	Artist or entertainer in a cultural exchange program		
P-4	Spouse or child of P-1, P-2, or P-3	Yes	I-94 or Notice of Action I-129 of P-1, P-2, or P-3
Q-1	Participants in an international culture exchange program	Yes	I-94
R-1	Alien in a religious occupation		
R-2	Spouse or child of R-1		
S-5, S-6, S-7	Special interest alien	No	I-94
TN	NAFTA professional Canadian/Mexican Citizens	Yes	I-94 or Notice of Action I-129 (I-797)
TD	Spouse or child of NAFTA professional	Yes	I-94 or Notice of Action I-129 (I-797)
V-1	Spouse of an alien lawfully admitted for permanent residency	Yes	I-94 or Employment Authorization Document
V-2	An eligible spouse of an alien lawfully admitted for permanent residence		
V-3	A child of either V-1 or V-2 if eligible to accompany or follow to join principal alien lawfully admitted		
TWOV	Transit without VISA	No	No Issuance by OMV
WT	Visa Waiver Program Visitor for Pleasure		
WB	Visa Waiver Program Visitor for Business		
DACA	Deferred Action Childhood Arrivals, temporarily delays the deportation of people without documentation who came to the U.S. as children.	Yes	I-94 or Employment Authorization Card
OOS	Order of Supervision, issued to individuals who are ordered deported, but are stateless and therefore, cannot be deported. Such an order grants legal presence.	Yes	I-94 or Employment Authorization Document

Class	Description / Details	SSN Eligible (Note 1)	Requirements and Exceptions
Parolees	An alien is allowed into the United States for urgent humanitarian reasons. This includes any class codes that are classified as a parolee. (C-11, CP, CH, etc.)		

Note 1: Applicant is or is not eligible for a Social Security Number

Note 2: Student non-immigrants (F-1, J-1, M-1) are issued an I-20 or its equivalent which must be presented at time of application. The I-20 will list the school, length of the program, and a contact person and phone number of the student representative at the school. If the I-20 indicates an out of state school, the applicant will need to submit a current document with a Louisiana address. If it is necessary to verify information for a non-immigrant, this contact information can be used to verify details.

Note 3: The US Department of State has determined that an individual who is presented in the United States in NATO (North Atlantic Treaty Organization) VISA status is not eligible to be licensed to drive or to obtain an identity card from the US Department of State. In fact, many of them are permitted by treaty to drive in the United States with their valid license from their local Department of Motor Vehicles. In any case, due to their ineligibility for motor vehicles services from the US Department of State's Office of Foreign Missions (OFM), the Department has determined that there should be no need for any individuals present in the United States in NATO VISA status to be required to present the Department's non-edibility letter to seek motor vehicle services from local jurisdictions.

Note 4: Foreign nationals in Louisiana under an **H-2A** visa, who possess a valid foreign driver's license, are exempt from pre-licensing training course and driver's education course requirements. The applicants must take the knowledge and road skills test, unless they are from a country with which OMV has a reciprocal agreement. A foreign national under an **H-2A** visa can use the class E when employed by a farmer under the farmer's exemption list in [FMCSR 49 CFR 383](#).

- The foreign driver's license may be in physical or digital form. Both forms are acceptable to exempt the holder from taking the pre-licensing education course and behind the wheel training. However, the digital form will **not** meet the criteria for identity requirements.

Note 5: Foreign nationals in Louisiana under an **H-2A** status working for a co-op are required to meet all [requirements](#) for and obtain a [Non- Domiciled CDL license](#).

Notes:

- Most non-immigrants with the number "2" in their status code will be dependents of another non-immigrant. Dependents accompanying student non-immigrants will be listed on the reverse side of the I-20. Dependents may or may not have their own I-20. Additional documentation to verify the dependent's status may require the submission of paperwork verifying the status of the non-immigrant they are accompanying.
- **For more information regarding extensions, visit <https://www.uscis.gov>.**
- For those applicants who have timely filed applications to renew or change status with USCIS and have been granted an auto extension, OMV will grant driver's license and ID card holders a 180 day renewal.

Related Policies:

- Section 1, Policy [6.00 Identification Requirements](#)
- Section 1, Policy [6.01 Driver Education Requirements](#)
- Section 1, Policy [8.00 Authorization/Licensing of a Minor's Application for a Driver's License](#)
- Section 1, Policy [10.00 Knowledge Examinations for all Classes](#)
- Section 1, Policy [12.00 Road Skills Test](#)
- Section 1, Policy [18.00 Out-of-State Transfers](#)
- Section 1, Policy [18.01 Reciprocity with Other Countries](#)
- Section 1, Policy [19.00 Identification Cards](#)
- Section 1, Policy [22.00, Name Changes and Usage](#)
- Section 1, Policy [41.00 Social Security Verification](#)