

Acceptable Documents by Status

- Proof of Legal Presence -
(August 11, 2011)

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.

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, and foreign birth certificates are not accepted.) • Unexpired or expired 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
Legal Permanent Residents of the United States	<ul style="list-style-type: none"> • Resident Alien Card, Permanent Resident Card, or Northern Marianas Card (I-551) unexpired or expired for not more than one year. • Unexpired or expired not more than one year 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 with an I-551 stamp • Alien Registration Receipt Card (I-151) • 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 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 ▪ J1/J2 applicants must present a DS-2019 ○ 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

	<p>petition for an I-129 has been received and a duplicate notice cannot be issued.</p> <ul style="list-style-type: none"> • USCIS form I-797 receipt or approval notice for an I-539 or and 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"> • 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. (Verification is required) • Applicants for Asylum may present an application for Asylum along with documentation from USCIS or U.S. Immigration Court indicating receipt of the application (Verification is required) • 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 applicants name
Refugees	<ul style="list-style-type: none"> • 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"> • USCIS form I-797 receipt, fingerprint, or approval notice for an I-821 petition displaying applicant's name • Official letter from the 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"> • Official letter from the USCIS indicating that the 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"> • 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.