

Table of Contents

1. What documentation should an F-1 student present to the DMV to obtain a driver's license?
2. How should an F-1 student on OPT with a cap gap extension renew his/her driver's license?
3. How should an F-1 STEM student with an expired EAD card renew his/her driver's license?
4. How can F-2 dependents obtain a driver's license?

*This material is not intended to substitute as legal advice.
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1. What documentation should an F-1 student present to a state Motor Vehicle Department to obtain a driver's license?

Each state has its own specific requirements, but here are some general requirements. Also, each state may have varying names of the agency/division, for example, Department of Motor Vehicle (DMV), Florida Department of Highway Safety and Motor Vehicles (HSMV), etc.

The F-1 student must go to the state's motor vehicle office with the following documents:

- Primary identification such as - Valid EAD, Valid Passport and I-94
- Proof of Social Security such as - Social Security Card, W-2, pay statement
- Proofs of residential address - Two different documents such as bills (cell phone, utility), residential lease, school transcripts and others

If the F-1 student has a valid driver's license from another country or state, plan to bring that license just in case. It may be required to pass both a driving and written test. Depending on the state, it may not be required to take the tests if you have a license from your home country or another state.

For example, if applying in Florida, please review additional information [here](#).

2. How should an F-1 student on OPT with a cap gap extension renew his/her driver's license?

First, upon receiving the official receipt notice for the H-1B cap petition, the student should inform the Designated School Official (DSO) so that the DSO can update the SEVIS record and issue a new Form I-20 to give to the student.

The Student and Exchange Visitor Information System (SEVIS) record must be in *Active* status when the F-1 student applies for renewal.

Then, the student should use the new Form I-20 to validate his/her immigration status with the DMV office through September 30.

Finally, upon receiving the official approval notice for the H-1B status, the student should again notify the DSO to ensure the SEVIS record is updated and then return to the DMV office to present the Form I-797 or Form I-797A Approval Notice to request an extension of his/her driver's license.

The student might be required to return to the DMV every year to extend the driver's license for one year at a time, unless otherwise stated by the local motor vehicle office.

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3. How should an F-1 STEM student with an expired EAD card renew his/her driver's license?

Similarly to the above, the student should contact the Designated School Official (DSO) to ensure that the SEVIS record is in *Active* status and issue a new Form I-20 showing the requested STEM OPT extension. The student should submit the STEM OPT EAD application to USCIS and receive a receipt.

Next, the student should use the new Form I-20 that shows the requested STEM OPT, prior expired EAD, and the receipt notice of the STEM OPT application to validate his/her immigration status with the motor vehicle department. Depending on the state, a temporary extension may be given.

Finally, upon receiving the approved STEM OPT EAD, the student should return to the motor vehicle department to request an extension of his/her driver's license.

4. How can F-2 dependents obtain a driver's license?

The F-2 dependent who applies for a driver's license should present supporting documentation about themselves and the primary (F-1) status holder.

The motor vehicle office will look for consistency of information relating to the dependent and the primary status holder.

Sometimes motor vehicle offices have difficulty when verifying dependents. The best way to alleviate this problem is for dependants to do the following:

- Attend the DMV office with the primary (F-1) status holder
- Bring the following documents:
 - The primary and dependent's valid passport with visa (when applicable)
 - The primary and dependent's most current Form I-94
 - The primary and dependent's most current Form I-20
 - Proof of relationship (e.g., marriage certificate)
 - Valid EAD (if applicable)
 - Proof of residence

For more information, please visit the Marks Gray Immigration at <http://www.marksgrey.com/practices/immigration/>

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