

1 Department of Public Safety

2 Driver and Vehicle Service Division

3

4 Adopted Rules Governing Drivers License and Motor Vehicle

5 Records, Name of Applicant

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7 Rules as Adopted

8 11 MCAR S 1.6101 Purpose and scope.

9 A. Purpose. The purpose of 11 MCAR SS 1.6101-1.6106 is to
10 provide general standards for the administration of the laws
11 requiring that full names appear on driver licenses and motor
12 vehicle records and to provide standards for subsequent name
13 changes on these documents.

14 B. Scope. The scope of 11 MCAR SS 1.6101-1.6106 is intended
15 to be confined within the framework and to be consistent with
16 the provisions of Minn. Stat. chs. 168, 168A and 171.

17 11 MCAR S 1.6102 Definitions.

18 A. Purposes. For the purposes of 11 MCAR SS 1.6101-1.6106,
19 the following terms have the meaning given them.

20 B. Driver's license and motor vehicle registration records.

21 Driver's license and motor vehicle registration records include:

22 1. all applications for drivers' licenses, instruction
23 permits and Minnesota identification cards;

24 2. all applications for motor vehicle certificates of
25 title; and

26 3. all applications for motor vehicle registration plates.

27 C. Full name. Full name means the first name, middle name
28 and surname.

29 D. First name. First name means the name given at birth
30 that appears first in a person's full name.

31 E. Middle name. Middle name means the name given at birth
32 between a person's first name and surname.

33 F. Surname. Surname means the last name borne in common by
34 members of a family.

35 11 MCAR S 1.6103 Name, name combination, length.

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1 A. Full name required. The full name is required on driver
2 licenses and motor vehicle records. It is comprised of the
3 first name, one or more middle names and one or more surnames.

4 B. Length of full name. The full name may not exceed 28
5 characters and spaces. If the full name exceeds 28 characters
6 and spaces, it will be abbreviated by the Department of Public
7 Safety in a manner that will permit proper record storage and
8 printing on the record.

9 C. Name combinations. If a person has more than one middle
10 name or more than one surname, they may be used in combination
11 separated by a hyphen. If only one name in a combination is to
12 be used on the document, the name used must be the first name of
13 the combination name.

14 11 MCAR S 1.6104 Documentation of proof of name and identity.

15 A. Generally. At the time of application for a driver's
16 license or motor vehicle registration record, the applicant
17 shall present a Minnesota driver's license or Minnesota
18 identification card if either one of these has been issued to
19 the applicant. If the applicant possesses a driver's license,
20 chauffeur's license or instruction permit from another
21 jurisdiction it must be surrendered.

22 B. Other documentation. If the applicant cannot supply the
23 documentation specified in A., one of the following will be
24 accepted as proof of name and identity:

25 1. an original or certified copy of the birth certificate
26 of the applicant;

27 2. an identification card issued to the applicant by the
28 United States Armed Services;

29 3. an alien identification card form 194 or a passport
30 issued to the applicant if it meets the full name requirement
31 specified in 11 MCAR S 1.6103;

32 4. a certificate of motor vehicle title or registration
33 issued to the applicant by another jurisdiction if it meets the
34 full name requirement specified in 11 MCAR S 1.6103;

35 5. a certified school record of the applicant;

36 6. a baptismal record of the applicant; or

1 7. confirmation of the name and identity of an applicant
2 under 19 years of age by a parent, spouse or guardian who must
3 accompany the applicant and furnish proof of his or her name and
4 identity as provided in 1.-6. or in A.

5 11 MCAR S 1.6105 Documentation for change of name on driver's
6 license or motor vehicle registration and title application
7 records.

8 A. Generally. When a change of name is required by law or
9 requested by an applicant, the documentation in B. and C. is
10 required.

11 B. Specific Documentation. If the applicant is required by
12 law or desires to change his or her surname, add an additional
13 middle name or surname or change any name, the applicant shall
14 supply the most appropriate document from the following:

15 1. applicant's certificate of marriage or a certified
16 copy;

17 2. applicant's marriage license or certified copy;

18 3. a certified copy of a court order;

19 4. a certified copy of a divorce decree or dissolution of
20 marriage granted the applicant that specifies the name changes
21 requested; or

22 5. a certified copy of naturalization papers issued to
23 the applicant.

24 C. Surname in place of middle name. After December 31,
25 1982, an applicant may use the applicant's surname prior to
26 marriage on the driver's license in place of the middle name.

27 The following is acceptable as proof of that name:

28 1. an original or certified copy of the applicant's birth
29 certificate;

30 2. the baptismal record of the applicant; or

31 3. a driver's license or instruction permit of the
32 applicant showing the surname of the applicant prior to marriage.

33 11 MCAR S 1.6106 Variances.

34 A. Commissioner may grant. The commissioner of Public
35 Safety may grant variances from 11 MCAR SS ~~1-6101-1-6105~~ S

1 1.6104.

2 B. Application for variance. If a person questions or
 3 disagrees with the provisions of 11 MCAR SS 1-6101-1-6105 as
 4 applied to him or her is unable to comply with the provisions
 5 and requirements of 11 MCAR S 1.6104, he or she may make written
 6 application to the Commissioner of Public Safety or his designee
 7 for a variance from one or more of the provisions of 11 MCAR SS
 8 1-6101-1-6105.

9 C. Documentation and review. A person applying for a
 10 variance must submit written documentation of the reasons why a
 11 variance should be granted, including the reasons the required
 12 documents are not available. The applicant must provide
 13 additional information regarding his or her name and identity,
 14 such as names of relatives, date and place of birth, place of
 15 residence, social security number, military service information
 16 and any arrest information, to aid the commissioner in verifying
 17 the applicant's identity.

18 D. Review. The Commissioner of Public Safety or his
 19 designee shall review the request for the variance. and In
 20 making a decision to grant or deny the variance, the
 21 commissioner or his designee shall consider the following:

- 22 1. the availability of the required documents;
- 23 2. the degree of hardship placed on the applicant;
- 24 3. the effect of granting the variance on the public;
- 25 4. the effect of granting the variance on the integrity
 26 of the record system; and
- 27 5. the trustworthiness of the information supplied by the
 28 applicant regarding his or her name and identity.

29 E. Conditions for granting. The commissioner shall grant
 30 the variance if all of the following conditions are present:

- 31 1. the documents required by 11 MCAR S 1.6104 are either
 32 not reasonably available or do not exist;
- 33 2. compliance with 11 MCAR S 1.6104 would cause an undue
 34 hardship for the applicant;
- 35 3. granting the variance will have no adverse effect on
 36 the public;

1 4. granting the variance will not jeopardize the

2 integrity of the record system; and

3 5. the applicant has established his name and identity by

4 trustworthy evidence and documentation.

5 F. Decision. The Commissioner of Public Safety or his

6 designee shall grant or deny the request for the variance within

7 30 days of receipt of the request. The person shall be notified
8 of the decision by mail within the 30-day period.