

Order to Adopt

Title 13, Division 1, Chapter 1

Article 2.0. Driver Licenses and Identification Cards

§ 20.05. Gender Categories.

~~The department shall issue a California driver's license or identification card to an applicant that requests a gender category that differs from the sex or gender on a document used to establish identity or legal presence as specified in Section 15.00, 16.04, 16.06, 17.02, 17.06, 26.01, 26.02 or an existing California driver's license or identification card if, in addition to meeting the other requirements for obtaining a driver's license or identification card, the applicant presents, in person, a Gender Category Request, form DL 329S (New 1/2019), which is hereby incorporated by reference.~~

(a) The department shall issue a California driver's license or identification card to an applicant who requests a gender category that differs from the sex or gender reflected on their current California driver's license or identification card by self-certifying their chosen gender category on their application for a California driver's license or identification card.

(1) For purposes of issuance of a REAL ID driver's license or identification card, an applicant shall make the request specified in subdivision (a) of this section in person.

(b) An applicant shall provide the department with the following information through the department's online portal:

(1) The applicant's true full name,

(2) The applicant's date of birth,

(3) The applicant's current California driver's license or identification card number,

(4) The applicant's mailing address,

(5) The applicant's residence address (if different from the mailing address),

(6) An indication as to whether the applicant wants the driver's license or identification card to read male, female, or nonbinary, and

(7) A signature certifying under penalty of law that the gender category request is for the purpose of ensuring the driver's license or identification card accurately reflects the applicant's gender identity and is not for any fraudulent or other unlawful purpose and to further certify (or declare) the information provided is true and correct.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 12800, 12811, 13000 and 13005, Vehicle Code.