

Addendum to the Initial Statement of Reasons

Title 13, Division 1, Chapter 1

Article 2.0. Driver Licenses and Identification Cards

Section 20.05 – Gender Categories

The department is proposing two amendments to the originally proposed adoption of Section 20.05. First, the department is removing the word ‘may’ and replacing with the word ‘shall’ as the department is required to issue a California driver’s license or identification card reflecting the applicant’s chosen gender category. This amendment is necessary to clarify that the department will issue a driver’s license or identification card with the applicant’s requested gender if the applicant meets all the requirements for being issued a driver’s license or identification card, in addition to completing the Gender Category Request form.

Second, the department is making a clarifying amendment to ensure the applicant is aware that they must meet all other requirements for obtaining a driver’s license or identification card.

The department made two clarifying changes to the Gender Category Request, form DL 329S, to ensure the request form clearly states that the form DL 329S is *not* a name change document. The only purpose of the form DL 329S is to facilitate the gender category change on the applicant’s driver’s license or identification card. The form DL 329S is also amended to cite CCR Section 15.06, as it defines True Full Name. The form DL 329S requires the applicant to sign under penalty of perjury that the information provided is true and correct and that the gender category change request is not for fraudulent or unlawful purposes. The certification is necessary to ensure an applicant is aware of the importance associated with providing correct information to the department and to ensure the applicant is aware that the only purpose of the form is to ensure the applicant is provided with a card that accurately reflects the applicant’s gender identity.