

Addendum to the Initial Statement of Reasons

Title 13, Division 1, Chapter 1

Article 2.0 – Driver’s Licenses and Identification Cards

The Department of Motor Vehicles (department) proposes to amend Section 20.04 related to name changes on driver’s licenses and identification cards.

Section 20.04 identifies the information required of an applicant who is applying to change their name on a driver’s license or identification card and includes an application and an original or certified copy of an approved document that establishes the applicant’s true full name to complete the name change. In the originally proposed text, the department proposed amending Section 20.04 to allow those documents to be submitted electronically, creating an efficient and convenient alternative to the customer having to visit a field office.

The department published the originally proposed text on August 25, 2023, in the California Regulatory Notice Register (OAL File Number 2023-0811-01). The department also made the proposed regulatory text available on its website, in its field offices, and through email to interested parties. No comments were received on the originally proposed text and the final rule was submitted to the Office of Administrative Law for review. Upon review, the Office of Administrative Law identified clarity issues related to the text in proposed subsection (e).

In its Notice of Proposed Action, the department provided examples of its recently expanded digital services, including mobile technicians and self-service kiosks. Accepting documents through the department’s online portal is also an example of a recently expanded digital service. However, in explaining the recent advances to the department digital service offerings, the department could have inadvertently caused confusion that an application and documents supporting a name change could be submitted through a mobile technician or at a kiosk. Neither of these services can accept the documentation required in Section 20.04.

The initial statement of reasons explained the adoption of subsection (e) would allow an applicant who is requesting a name change on their federal non-compliant driver’s license or identification card issued under Vehicle Code section 12801.5 or on their driver’s license issued under Vehicle Code section 12801.9, to submit the name change documentation either in person at a field office or online. The OAL indicated the word ‘online’ does not clearly establish the method by which an application and supporting document are submitted to the department.

The department is further amending subsection (e) to make clear that an application and supporting documents, identified in subsection (d), can only be submitted to the department through its online portal or in person. By clearly establishing the two acceptable methods by which to submit documents, the department expects an applicant will be aware that they cannot facilitate these transactions at a kiosk, mobile, or by any other electronic means.