

**63G-12-401 Creation of identity documents -- Issuance to citizens, nationals, and legal permanent resident aliens -- Exceptions.**

- (1) The following entities may create, publish, or otherwise manufacture an identification document, identification card, or identification certificate and possess an engraved plate or other device for the printing of an identification document:
  - (a) a federal, state, or local government agency for employee identification, which is designed to identify the bearer as an employee;
  - (b) a federal, state, or local government agency for purposes authorized or required by law or a legitimate purpose consistent with the duties of the agency, including such documents as voter identification cards, identification cards, passports, birth certificates, and Social Security cards; and
  - (c) a public school or state or private educational institution to identify the bearer as an administrator, faculty member, student, or employee.
- (2) The name of the issuing entity shall be clearly printed upon the face of the identification document.
- (3) Except as otherwise provided in Subsections (4) and (5) or by federal law, an entity providing an identity document, card, or certificate under Subsection (1)(b) or (c) shall issue the document, card, or certificate only to:
  - (a) a United States citizen;
  - (b) a national; or
  - (c) a legal permanent resident alien.
- (4)
  - (a) Subsection (3) does not apply to an applicant for an identification document who presents, in person, valid documentary evidence of the applicant's:
    - (i) unexpired immigrant or nonimmigrant visa status for admission into the United States;
    - (ii) pending or approved application for asylum in the United States;
    - (iii) admission into the United States as a refugee;
    - (iv) pending or approved application for temporary protected status in the United States;
    - (v) approved deferred action status; or
    - (vi) pending application for adjustment of status to legal permanent resident or conditional resident.
  - (b)
    - (i) An entity listed in Subsection (1)(b) or (c) may issue a Subsection (1)(b) or (c) identification document to an applicant who satisfies the requirements of Subsection (4)(a).
    - (ii) Except as otherwise provided by federal law, the document is valid only:
      - (A) during the period of time of the individual's authorized stay in the United States; or
      - (B) for one year from the date of issuance if there is no definite end to the individual's period of authorized stay.
    - (iii) An entity issuing an identification document under this Subsection (4) shall clearly indicate on the document:
      - (A) that it is temporary; and
      - (B) its expiration date.
  - (c) An individual may renew a document issued under this Subsection (4) only upon presentation of valid documentary evidence that the status by which the individual originally qualified for the identification document has been extended by the United States Citizenship and Immigration Services or other authorized agency of the United States Department of Homeland Security.
- (5)

- (a) Subsection (3) does not apply to an identification document issued under Subsection (1)(c) that:
  - (i) is only valid for use on the educational institution's campus or facility; and
  - (ii) includes a statement of the restricted use conspicuously printed upon the face of the identification document.
- (b) Subsection (3) does not apply to a license certificate, driving privilege card, or identification card issued or renewed under Title 53, Chapter 3, Uniform Driver License Act.
- (c) Subsection (3) does not apply to a public transit pass issued by a public transit district as defined in Title 17B, Chapter 2a, Part 8, Public Transit District Act, that:
  - (i) is only valid for use on the public transit system; and
  - (ii) includes a statement of the restricted use conspicuously printed on the face of the public transit pass.
- (d) Subsection (3) does not apply to a permit issued under Section 63G-12-207.
- (e) Subsection (3) does not apply to a permit issued under Chapter 14, Utah Pilot Sponsored Resident Immigrant Program Act.
- (6) This section shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

Renumbered and Amended by Chapter 18, 2011 General Session  
Amended by Chapter 20, 2011 General Session