



FACT SHEET

WYOMING LEGISLATIVE SERVICE OFFICE

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VALID IDENTIFICATION, AS RELATED TO VOTING AND THE WYOMING DEPARTMENT OF TRANSPORTATION

Legislative Service Office (LSO) Research staff could not find a formal definition for the term “valid identification” in Wyoming statute or executive agencies’ rules. However, there are other similar terms used, including “acceptable identification” and “proof of identity document” or “legal identity document,” which are referenced in statute and/or rules.

Below are two summaries of information. The first instance relates to voting in Wyoming and the second to the Wyoming Department of Transportation (WYDOT). Research staff reviewed both of these subject areas as acceptable forms of identification for voting include state-issued driver’s licenses or identification cards issued through WYDOT.

Acceptable Identification for Voting in Wyoming

The statutory definition of “acceptable identification” can be found in W.S. 22-1-102(a)(xxxix), and “means one (1) of the identification documents or other proof of identity as specified by rule of the secretary of state as adequate proof of the identity of a voter.” The Secretary of State rules define “acceptable identification” in Election Procedures rules, specifically Chapter 2: Identification for Election Purposes, Section 6, subsection (a) through (c), as shown in Table 1, below. These rules have been in effect since October 22, 2013.

Table 1. “Adequate Identification” as Found in Secretary of State Rules. *

Rules Provision	“Acceptable Identification”
(a) Any one of the following documents shall constitute proof of the individual’s identity for the purpose of registering to vote and for voting. If the individual’s current residence address is included in the document, it shall also constitute proof of residency, if necessary. In the event of a challenge, if the residence address is not included in the document or if it is not current, the individual may be required to produce other documentation of his residence address in accordance with W.S. 22-3-118 or 22-15-101 through 109.	(i) United States Passport; (ii) Driver’s License or Identification Card issued by any State or Outlying Possession of the United States; (iii) Identification Card issued by the Federal Government, any State or Local Government, or an Agency thereof; (iv) Photo Identification Card issued by the University of Wyoming, a Wyoming Community College, or a Wyoming Public School; (v) United States Military Card; (vi) Identification Card issued to a Dependent of a member of the United States Armed Forces.

Rules Provision	“Acceptable Identification”
(b) Any two or more of the following documents together shall constitute proof of the individual’s identity and residency, if necessary, for the purpose of registering to vote and for voting. In the event of a challenge, if the residence address is not included in the document or if it is not current, the individual may be required to produce other documentation of his residence address in accordance with W.S. 22-3-118 or 22-15-101 through 109.	(i) Certification of United States Citizenship; (ii) Certificate of Naturalization; (iii) United States Military Draft Record; (iv) Voter’s Registration Card from another State or County; (v) United States Social Security Card; (vi) Certification of Birth Abroad issued by the Department of State; (vii) Original or certified copy of a birth certificate bearing an official seal; and (viii) Any other form of identification issued by an official agency of the United States or a State.
(c) In the event of a challenge, the following documents, showing the individual’s name and address, are acceptable proof of identity and residency:	(i) Current utility bill; (ii) Current bank statement; (iii) Current government check; (iv) Current paycheck; (v) Any other current government document showing his name and address.

Source: Legislative Service Office staff summary of information from the Secretary of State Rules website.

* LSO emphasis.

Wyoming Department of Transportation

Unlike the statutes and rules that address “acceptable identification” for voting, the WYDOT rules outline the process of applying for and obtaining a state-issued license, permit, or identification card. According to WYDOT rules, Chapter 1: Driver’s Licenses and Motor Vehicle Safety, Section 3: Definitions, subsection (b), (xvii):

“Proof of identity document or legal identity document means as defined in 6 CFR, Chapter 1, Part 37.11(c) and W.S. 31-7-111, as currently amended.”

Per W.S. 31-7-111 (a), “proof of identity” includes the following:

- A certified copy of the applicant's birth certificate
- Valid unexpired United States passport
- Consular report of birth abroad
- Certificate of citizenship
- Certificate of naturalization
- Permanent resident card
- Employment authorization document
- Foreign passport (with United States visa affixed and accompanied by an approved document documenting the applicant's most recent admittance to the United States)

- State issued driver's license or identification card which complies with federal law and applicable regulations
- Or other document required by the division to establish identity where reasons beyond the applicant's control prevent the applicant from presenting the documents required by this subsection.

Additionally, according to 6 CFR 37.11(c) (1)(i) through (x), at least one of the following documents is necessary to establish the identity of an individual and relates to the REAL ID driver's license or identification card standard.

- Valid, unexpired U.S. passport.
- Certified copy of a birth certificate filed with a State Office of Vital Statistics or equivalent agency in the individual's State of birth.
- Consular Report of Birth Abroad (CRBA) issued by the U.S. Department of State, Form FS-240, DS-1350 or FS-545.
- Valid, unexpired Permanent Resident Card (Form I-551) issued by the U.S. Department of Homeland Security (DHS) or the former Immigration and Naturalization Service of the U.S. Department of Justice (INS).
- Unexpired employment authorization document (EAD) issued by DHS, Form I-766 or Form I-688B.
- Unexpired foreign passport with a valid, unexpired U.S. visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States.
- Certificate of Naturalization issued by DHS, Form N-550 or Form N-570.
- Certificate of Citizenship, Form N-560 or Form N-561, issued by DHS.
- REAL ID driver's license or identification card issued in compliance with the standards established by this part.
- Such other documents as DHS may designate by notice published in the Federal Register.

If you need anything further, please contact LSO Research at 777-7881.