



## International Driver's Permits and Foreign Operator's Licenses

In recent months, Kentucky officers making traffic stops have reported that the drivers have presented them with "International Driver's Permits," "International Driver's Licenses" or similar documents. What are these documents and do they give the holder permission to drive in Kentucky?

The answer is no. International Driver's Permits are, in fact, legitimate documents, used worldwide, but an IDP does not, in and of itself, give the driver the authority to drive in the United States. In 1950, the United States ratified the international Convention on Road Traffic<sup>1</sup>, which was intended to promote "the development and safety of international road traffic by establishing certain uniform rules." This convention established certain basic safety rules for vehicular and animal traffic throughout the signatory countries. Of particular interest with respect to this issue is Article 24, which addresses the type of documentation that a driver must have outside their own country, and in particular, the issuance of an "international driving permit" (IDP). The essential purpose of this document is to translate the critical information on an individual's operator's license into a variety of common world languages, such as English, Russian, Chinese, Spanish, Italian, Japanese, French, German and Arabic. The permit is not itself a license to drive.

Recently, a number of Internet sites have offered for sale International Driving Permits (also referred to as an International Driver's License, or other variations on the terminology). Some sites do indicate that the IDPs are not for use in the home country, the United States, while others are not so scrupulous. In fact, some purport to sell IDPs from other countries, such as Honduras, which would then appear to be valid for use in the United States. These companies are deceptive in representing what an IDP permits a driver to do and specifically advertise the IDP as a way to avoid having a state operator's license, and as a "legal" alternative if one's state license is revoked or suspended for any reason.

In the United States, only the American Automobile Association (AAA) and the National Automobile Club (NAC) are authorized by the U.S. Department of State to issue the IDP to U.S. citizens. A U.S. citizen must provide two passport-sized photos, their valid state license, a \$10 fee and then complete a brief application. This can be done by mail or in person at any AAA or NAC office. U.S.-issued permits are invalid from one year of the date of issue. (Individuals traveling overseas for an extended period may also renew them by mail.) However, as stated above, a U.S.-issued IDP is not valid in the United States. Each country sets the standard for the issuance of IDPs to their own citizens, but all are similar in appearance to the image above, as the parameters are set by the treaty.

Nonresidents are permitted to drive in Kentucky on their home state or country operator's license if their own state or country accords similar privileges to Kentucky residents. Kentucky does not require a foreign visitor to present an IDP, as some countries outside the U.S. do, although certainly the information provided on the IDP may be useful if the original operator's license is not in English. However, a foreign visitor may not drive only on the IDP, it must be accompanied by an operator's license from the driver's home country, if the home country in fact issues operator's licenses, as virtually all countries now do. In other words, the IDP and the operator's license must match; the same country must issue them both. A citizen of Kentucky, or a non-resident who is a United States citizen, may not drive only on an IDP, as an IDP has no validity in the home country of the driver. In other words, a U.S. citizen who is not a resident of Kentucky must present a valid operator's license from their home state to be considered a legal, licensed driver in Kentucky.

Questions often arise, specifically, with respect to "Mexican driver's licenses." Just like the United States, Mexico issues operator's licenses by state. In other words, there is no such thing as a Mexican OL, just like there is no such

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<sup>1</sup> Geneva, 1949, ratified by the U.S. August 17, 1950.

thing as a United States OL. A valid OL for a Mexican citizen will be issued by one of the 31 states in Mexico. If it is a valid OL (and it will not be possible to run it, just like you can't run a German or Spanish, OL, either), and the individual is legally visiting the United States, it is valid for use in driving in Kentucky for up to one year. However, once that individual becomes resident (and that would include, for example, working in Kentucky), they are required to have a Kentucky OL. Foreign nationals with legal documentation that indicates the duration of their stay in the United States, such as a limited work visa or "green card," may apply for a Kentucky OL. Other documents that may be presented, such as a Matricula Consular or an Individual Taxpayer Identification Number (ITIN) card are not valid for driving purposes, and because of the manner in which they are issued, not necessarily credible even for identification purposes. (Note: an ITIN number will be formatted like a Social Security Number but will start with the number 9. This number is issued by the Internal Revenue Service for individuals who need a tax reporting number but who do not qualify for a Social Security card. It cannot be "run" in the way a Social Security number can be and the IRS makes little effort to confirm anything about the identity of the applicant for the ITIN.)

**Failure by any United States citizen or foreign national (who is not resident in Kentucky) to present a valid operator's license from their home state or country of residence should result in a citation (at least), for "No Operator's License," a violation of KRS 186.410. (Certainly a foreign national whose home country does not officially license drivers may present this information in court as a defense.) Residents of Kentucky, whether a U.S. citizen or foreign national, are required to obtain a Kentucky operator's license, and failure to do so is also a violation of the law. Current college students who also carry appropriate student identification are exempted from this provision, and may continue to drive on their original operator's license, as may members of the military. All persons driving in Kentucky are required to follow the motor vehicle laws of the Commonwealth.**