

DRIVING IN CALIFORNIA

Nonresident persons do not need to get a California driver license. The state recognizes out of state and foreign driver licenses for nonresident individuals. Section 12502 and 12505 (reported below) of the vehicle code defines nonresident based on the individual's state of domicile which is defined as: "the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent."

Vehicle Code

Section 12502

(a) The following persons may operate a motor vehicle in this state without obtaining a driver license under this code:

- (1) A nonresident over the age of 18 years having in his or her immediate possession a valid driver license issued by a foreign jurisdiction of which he or she is a resident, except as provided in Section 12505.

Section 12505

(a) (1) For purposes of this division only and notwithstanding Section 516, residency shall be determined as a person's state of domicile. "State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.

Prima facie evidence of residency for driver licensing purposes includes, but is not limited to, the following:

- (A) Address where registered to vote.
- (B) Payment of resident tuition at a public institution of higher education.
- (C) Filing a homeowner's property tax exemption.
- (D) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.

(b) The presumption of residency in this state may be rebutted by satisfactory evidence that the licensee's primary residence is in another state.

<http://www.dmv.ca.gov/pubs/vctop/d06/vc12505.htm>

Grounds Requiring Refusal of License

Section 12805 The department shall not issue a driver license to, or renew a driver license of, any person:

(f) Who holds a valid driver license issued by a foreign jurisdiction unless the license has been surrendered to the department, or is lost or destroyed.

<http://www.dmv.ca.gov/pubs/vctop/d06/vc12805.htm>

If you are in California with a J-1 visa and you drive without a California driver license, it could be a good idea to keep a printout of the above information in your vehicle at all times. Foreign drivers should also keep with them a copy of their visa. Hopefully, these documents might help you explain why you do not have a California driver license in the event the police question you.

International Driving Permits

The State of California does not recognize an International Driving Permit (IDP) as a valid driver license. California does recognize a valid driver license that is issued by a foreign jurisdiction (country, state, territory) of which the license holder is a resident.

The IDP is only a translation of information contained on a person's foreign driver license and is not required to operate a motor vehicle in California. Citations issued to a person in California who has an IDP, but does not have a California driver license will be placed on the Department of Motor Vehicles database.

The IDP is also called an International Driver License, International License, etc.

http://www.dmv.ca.gov/dl/dl_info.htm#international