



The Immigration Practice of Sidley Austin Brown & Wood

Our Immigration Practice develops a comprehensive and cost effective strategy to address the unique immigration needs of each client. The legal services we offer include assistance in obtaining temporary visas, permanent residence and U.S. citizenship. We also provide employees with immigration advice related to mergers and acquisitions, corporate law, international tax, I-9 compliance and other labor issues affecting the employment of foreign nationals. We routinely represent clients before the Bureau of Citizenship and Immigration Services (formerly Immigration and Naturalization Service), Department of Labor, Department of State and U.S. consular posts worldwide.

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Driver's license issuance to employees and their families residing in Illinois

Recently, the State of Illinois announced a short-term program to permit foreign nationals who are legally in the United States to obtain Illinois driver's licenses.

Illinois is one of the few states that prevents certain foreigners from obtaining driver's licenses, even if they have lived in the United States legally for years.

Subsequent to federal litigation and pressure by the Chicago Chapter of the American Immigration Lawyers Association and other advocacy groups, foreign consulates and businesses, Illinois has announced this welcome but short-lived program. This program permits family members of employees who are in H-4 status and others to apply for a driver's license even if they do not have work authorization cards.

Who is eligible for a driver's license under the temporary program?

A foreign national is eligible for a driver's license if he or she is lawfully in the United States, would be eligible for a non-work Social Security number and is otherwise eligible for an Illinois driver's license.

What is the procedure for scheduling an appointment to obtain an Illinois driver's license?

The available appointment dates are April 28, May 5, May 12 and May 19, 2003. Applicants may make appointments for designated sites in Chicago or in Springfield, Illinois, regardless of their place of residence. To schedule an appointment in the Chicago area, call 312-814-1132. For an appointment in Springfield, call 217-782-7044. As appointment slots are limited and the phone lines are very busy, applicants should make appointments as soon as possible. Only applicants with scheduled appointments will be served.

What will happen at the appointment?

- The applicant must pass the vision screening, the written exam, and the road exam. Only one written exam will be given for each scheduled appointment.
- If necessary, the Secretary of State may administer oral exams through interpreters. Applicants should bring their own interpreters if necessary.
- The applicant must note at which Social Security Administration office he or she will be making the application for a non-work social security number.

- Note that the vehicle used for the road exam must pass safety inspection.


What should the applicant bring to the appointment?

- One of the following: 1-551 alien registration card, 1-688 temporary resident card, or I-94 arrival/departure record with valid passport.
- Proof of insurance on the vehicle to be used for the driving portion of the exam.
- Letter from spouse's or parent's employer substantiating residence, relationship to the employee and anticipated duration of employment.
- If the applicant is a student, a letter from the school substantiating residence and current enrollment status.
- Illinois Secretary of State reserves the right to request additional documentation from applicant.

For further information concerning any of the items described in this alert, please contact any of the attorneys in our Immigration Group, or any of the attorneys listed below:

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