

Driving in Michigan with your Foreign or Out-of-State Driver License

... your privileges and responsibilities

If you are *not* a Michigan resident, you do not qualify for a Michigan driver license. However, you may still drive in Michigan if you meet the three following requirements:

- I. You must have a valid license from a state or territory of the United States or a recognized foreign country (see details below) in your immediate possession; **and**
- II. You must have a valid registration for the car being driven (see details below); **and**
- III. You must have current proof of insurance (see details below).

All three of these documents must be in your possession when you drive. Failure to have any of these three documents in your vehicle can result in large fines, penalties and revocation of your driving privileges.

I. Driver License

If you are a resident of Michigan*, you must have a valid Michigan driver license to operate a motor vehicle in Michigan. If you are *not* a resident of Michigan*, you are *not* required to have a Michigan driver license to drive in Michigan **IF** you have in your possession either:

- a. an unexpired and valid driver license from another state or territory; **or**
- b. an unexpired and valid foreign driver license from a recognized foreign country (see partial list below):

- | | | | |
|---------------|------------|--------------|-------------|
| • Mexico | • Colombia | • Costa Rica | • Canada |
| • El Salvador | • Honduras | • Nicaragua | • Guatemala |
| • Panama | • Peru | • Ecuador | • Belize |

- If you have a recognized foreign driver license, Michigan law does not require you to get an international driver's permit (which is a basic English translation of your foreign license).
- If you plan to leave the country to obtain or renew your foreign driver license and you are not yet a legal permanent resident, you should check with an immigration attorney to see how leaving the country will affect your immigration status.
- Not all police officers are trained to recognize or accept valid foreign licenses. If an officer does not accept your foreign license, it is important to cooperate with the officer and contact our office or a private attorney as soon as possible.

➡ If you are stopped by a police officer while driving with either an out-of-state or foreign license, you may be required to post a bond of up to \$100 in cash, or temporarily surrender your driver license to the officer to guarantee payment of any fines. **This bond is not a bribe and you will be given a receipt.** When you go to court to enter your plea or pay your fine, the bond money will be applied toward any fines, and your foreign license should be returned to you. If it is not, contact an attorney immediately for help in getting your license returned.

* Generally, you are a “resident” of Michigan only if your “settled home” is in Michigan and you intend to remain in this state indefinitely. Law enforcement officers often apply a “rule of thumb” that a person becomes a “resident” if one lives in Michigan for 30 days or more, but no such “30-day” standard actually exists in Michigan law. You can be a “non-resident” even if you work in Michigan for more than 30 days.

** A “non-resident” is defined in the Michigan Vehicle Code as “every person who is not a resident” of Michigan, specifically includes persons who are “not legally present” in the United States.

II. Registration

If you are not a resident of Michigan, you are exempt from the requirement to register your car in Michigan, *unless* you operate the car in Michigan **for a period of more than 90 consecutive days**. However, your car must still be registered in your home state or country of residency.

- Note: *Regardless of which state or country your car is registered in* – you are still subject to the special Michigan No-Fault Insurance requirements below.

➡ If you are stopped by a police officer, you must present your valid driver license, current registration and proper proof of insurance to the officer. Cooperate, listen and follow the officer's instructions. If you feel there has been some mistake, do as the officer says and contact our office or a private attorney as soon as possible.

III. Insurance

Michigan has very strict auto insurance requirements. Unless you are a “non-resident” intending to stay in Michigan for less than 30 days, you are subject to these requirements:

- If you operate a car, truck or van in Michigan **for more than a total of 30 days in any one calendar year**, you are required to purchase Michigan No-Fault insurance for that vehicle, even if it is registered in another state or country.
- The Michigan No-Fault system operates differently than most insurance. If you are involved in an accident, the other party's insurance will not normally cover you, even if it is the other driver's fault. You must first file a claim with your own insurance provider for coverage. You should consult your insurance company for more details about “No-Fault Insurance.”
- Out-of-state insurance policies do not satisfy Michigan No-Fault insurance requirements.
- You must present proof of Michigan No-Fault insurance to a police officer if you are stopped. If you fail to present proof of insurance, you will be subject to a \$400 fee and other fines and penalties required by law.

➡ Note that your out-of-state insurance will not cover you in Michigan if you operate a vehicle in the state for more than 30 days in one year. You should contact your auto insurance company with any questions or to obtain a Michigan No-Fault policy. Insurance companies do not usually require a Social Security number to issue an insurance policy, although your rates may be higher if you do not provide one.

FARMWORKER LEGAL SERVICES

34276 52nd Street

P.O. Box 219 (all mail)

Bangor, MI 49013-0219

1-800-968-4046 (toll free)

www.farmworkerlaw.org



This FACT SHEET is presented by FARMWORKER LEGAL SERVICES, a division of Legal Services of South Central Michigan, as general community legal educational material. For answers to legal questions involving specific factual situations, you should consult an attorney.