



movement advancement project ▶

Identity Document Laws and Policies: Gender Markers on Driver’s Licenses

No updates required since September 5, 2024

What’s in this document (click to jump to that section):

Background2

Equality Map & Additional Resources3

State-by-State Sources & More Detail3

To receive regular updates, subscribe here: <http://bit.ly/map-newsletter>

To donate to support MAP’s work tracking these policies, click here: <https://mapresearch.org/donate>

Recommended citation:

Movement Advancement Project. [Year of access]. “Equality Maps: Identity Document Laws.” www.mapresearch.org/equality-maps/identity_documents. Accessed [Date of access].



Background

Driver's license policies govern the process by which a person can change the gender marker on their driver's license. Many transgender people choose to update the gender marker on their identity documents so that it matches their gender identity. Accurate and consistent gender markers on identity documents help transgender people gain access to public spaces and resources, as well as dramatically reducing the risk that they will face violence, discrimination, or harassment. Additionally, states may allow individuals to identify as something other than male or female on their driver's licenses. The ease of the process to change gender markers is independent of how many gender options (i.e., male, female, nonbinary) are available.

However, many states have not yet modernized their policy or process, making it significantly challenging for transgender people to access identification that matches their gender identity and protects their safety. This map examines the variation in state policies regarding both the process of changing one's gender marker, as well as the gender marker options available in a given state.

Process categories and scoring system:

The process for changing the gender marker on a driver's license involves:

- (1) State uses easy to understand form and does not require any provider certification.
- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0.5) State uses easy to understand form and requires provider certification, accepted only from a limited range of licensed professionals.
- (0.25) State has no form. No proof of surgery or court order required, but does have burdensome process requirements and/or required provider certification accepted only from a limited range of licensed professionals. *[Note: in these states, a court order may be an available method to change a driver's license, but alternative options such as a physician's letter are also available.]*
- (0) State has unclear, unknown, or unwritten policy regarding gender marker changes.
- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (-1) State does not allow for changes to gender marker on driver's license

Option categories and scoring system:

- (0.5) State allows residents to mark M, F, or X on their driver's license
- (0) State only allows residents to identify as male or female



movement advancement project ▶

Equality Map & Additional Resources

- See our [Equality Map: Driver's License Policies](#), which is updated and maintained in real time alongside this document.
- See our [Equality Map: Birth Certificate Policies](#) and [Equality Map: Name Change Policies](#) for related identity document policies.
- MAP's 2022 report [The ID Divide: How Barriers to ID Impact Different Communities and Affect Everyone](#), detailing the ways that barriers to obtaining an accurate ID significantly impact people's ability to move through their daily lives and how these obstacles harm specific communities.
 - See the related [Fact Sheet: Identity Documents & Transgender and Nonbinary Communities](#) (2022)
- For more information about each state's process and requirements, see also the Advocates for Transgender Equality (A4TE, formerly known as NCTE and TLDEF) [ID Documents Center](#).

State-by-State Sources & More Detail

Alabama

- (0) State has unclear, unknown, or unwritten policy regarding gender marker changes.
- (0) State only allows residents to identify as male or female
- State previously required proof of surgery, ruled unconstitutional in [Corbitt v. Taylor](#) (2021)

Alaska

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See [2 AAC 90.480](#) or [Form 427](#)

Arizona

- (0.25) State has no form. No proof of surgery or court order required, but does have burdensome process requirements and/or required provider certification accepted only from a limited range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See [Motor Vehicle Division Policy 3.1.1, page 5, item Q](#)



Arkansas

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See [“emergency” administrative rule](#) (March 2024)
 - In April 2024, a [lawsuit was filed](#) against this rule.
- Formerly, (1) the state permitted changes without any form and did not require provider certification, and also (0.5) allowed residents to mark M, F, or X on their license. See [here](#) for more information on that policy, in place since at least 2010 and until March 2024. In March 2024, a new [“emergency” administrative rule](#) was proposed and [approved days later](#) without opportunity for public comment.
 - This new rule requires an amended birth certificate in order to update the gender marker on a driver’s license. However, the state of Arkansas makes it extremely burdensome to update the birth certificate, only issuing an amended birth certificate if a person gets a court order indicating “that the sex of an individual born in this state has been changed by surgical procedure” ([§20-18-307](#)). Taken together, this existing requirement combined with the new emergency rule effectively require transgender people to have surgery, get a court order, AND amend their birth certificate before they can update their driver’s license—an incredible and unnecessary burden.
 - Additionally, Arkansas state law [currently explicitly allows health insurance to refuse to cover](#) transgender-related health care.
 - This new rule also only allows “M” or “F” options effective immediately. The state [says](#) it will revert any previously-issued licenses with “X” markers to their original “M” or “F” once those licenses expire (but not before).

California

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver’s license. [See SB 179](#) (2018).
- See [California DMV form DL 329](#)

Colorado

- (1) State uses easy to understand form and does not require any provider certification.
 - Note that provider certification is required for minors only.
- (0.5) State allows residents to mark M, F, or X on their driver’s license. (See [DOR FAQ here](#))
- See [form DR 2083](#) or more information [here](#)

Connecticut

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver’s license.
- See [Connecticut DMV Gender Designation On A License or Identification Card Form B-385 \(January 2020\)](#)



Delaware

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See [Delaware DMV form MV2020](#)

District of Columbia

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See the [District of Columbia DMV Gender Designation Form](#)

Florida

- (-1) State does not allow for changes to gender marker on driver's license
- (0) State only allows residents to identify as male or female
- See [memo](#) (Jan 2024), confirmed by agency directly to media (see for example [here](#))
 - Note, while the new policy claims to create potential criminal and/or civil penalties, this is beyond the agency's authority to unilaterally rewrite state criminal law. MAP resources will continue to be updated as this policy develops.
- Formerly, (0.25) State had no form. No proof of surgery or court order required, but does have burdensome process requirements and/or required provider certification accepted only from a limited range of licensed professionals.
 - See the [Florida Department of Highway Services and Motor Vehicles memo on gender marker change policy](#) (2011), consistent with Equality Florida's [guidance](#) (2020)

Georgia

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See the [Georgia Department of Driver Services website](#), under "Physical Changes"

Hawai'i

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license
- See [Hawai'i's Application Form](#) (July 2020), [HB 1165](#) (2019), and [HIDOT guidance](#). Individuals seeking an updated gender marker use the same [application form](#) as applying for a new or renewed license.

Idaho

- (0.5) State uses easy to understand form and requires provider certification, accepted only from a limited range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See [Form ITD 3533](#) and [Idaho Transportation Department's Administrative Policy 5504 \(2013\)](#)



Illinois

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
 - This was announced in 2019 following the passage of [HB 3534](#), though the Secretary of State noted at the time that implementation might take until 2024 [due to the state's contract](#) with an outside technology provider. In [Feb 2024](#), the X option became available.
- See the [Illinois Secretary of State website](#), [HB 3534](#) (2019), and [Form DSD A329](#)

Indiana

- (0.5) State uses easy to understand form and requires provider certification, accepted only from a limited range of licensed professionals.
- (0) State only allows residents to identify as male or female
 - In March 2019, Indiana's Bureau of Motor Vehicles announced that gender neutral markers on driver's licenses would become available in October 2019.
 - In September 2019, the state's attorney general blocked this and in March 2020 issued an [official, but advisory \(i.e., non-binding\) opinion](#) preventing gender neutral markers from ever being allowed unless the state passes legislation explicitly permitting them.
 - In 2021, a lawsuit was filed challenging this policy. For more detail, see [here](#).
- See Form 55617 at the [Indiana Bureau of Motor Vehicles website](#)

Iowa

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See [Iowa Administrative Code § 601.5\(7\)](#) or [Iowa DOT Memo #17-09](#), p4-5

Kansas

- (-1) State does not allow for changes to gender marker on driver's license
- (0) State only allows residents to identify as male or female
- See July 2023 [temporary order](#) halting any changes to gender marker during an ongoing lawsuit, and March 2024 [order](#) indefinitely halting any changes.
 - See further local reporting [here](#) and [here](#).
- Formerly, (0.25) State had no form. No proof of surgery or court order required, but does have burdensome process requirements and/or required provider certification accepted only from a limited range of licensed professionals.
 - See [memo from Ted Smith, Kansas Dept of Revenue Staff Attorney \(2011\)](#) or [NCTE page](#)



Kentucky

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See a statement from [Chief of Staff at Jefferson County Circuit Clerk's Office](#) or [Acceptable Documentation](#) list

Louisiana

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See the [Louisiana OMV policy on Gender Change/Reassignment](#)

Maine

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See the [Gender Designation Form](#) from the Maine Bureau of Motor Vehicles. Removal of provider certification as of [November 2019](#).

Maryland

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See [S.B. 196 \(2019\)](#) and [MVA website on changing gender designation](#). Individuals seeking an updated gender marker use the same application form as for a new license. No additional form.

Massachusetts

- (1) State allows residents to mark M, F, or X on their driver's license.
- (0.5) State uses easy to understand form and does not require any provider certification.
- See the [Gender Designation Change Form](#) from the Massachusetts Registry of Motor Vehicles

Michigan

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See the Michigan Secretary of State website [Sex Designation Form](#) (first issued Nov 2019; X option added Nov 2021). Prior to this form's creation, state was in 0.25 category.

Minnesota

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See the [Minnesota Driver and Vehicle Services' note](#) that sex is self-designated (since 2019)



Mississippi

- (0) State has unclear, unknown or unwritten policy regarding gender marker changes.
 - Note: In Oct 2021, the Mississippi Department of Public Safety issued a [Change of Gender Designation Form](#) (0.75: easy to understand form and requires provider certification, accepted from a broad range of licensed professionals) and a [memo from the Driver Service Bureau Director](#) outlining further expectations for treatment of transgender and nonbinary applicants. However, just a day, the department [rescinded](#) the form and policy.
- (0) State only allows residents to identify as male or female

Missouri

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See [local reporting](#) (Aug 2024) that the state now requires medical documentation from a surgeon regarding gender reassignment or a court order (which often also involves medical documentation). MAP staff personally communicated with Missouri Department of Revenue to confirm this policy change and that the former Form 5532 is no longer being accepted.
- Formerly, and since [at least late 2016](#), the state used an easy to understand form and required provider certification that was accepted from a broad range of licensed professionals. See the Missouri Department of Revenue [Gender Designation Change Request Form 5532](#). In August 2024, the state changed the policy without public comment or explanation.

Montana

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- Formerly, (0) state had unclear, unknown or unwritten policy regarding gender marker changes, though [some reporting](#) suggested that changes were previously allowed with a letter from a doctor. In 2023, the state enacted a new law [regulating gender and defining “sex”](#) in discriminatory ways. Shortly thereafter, in early 2024, the state’s Department of Justice ended the previous policy regarding driver’s license changes and imposed new requirements of an amended birth certificate—though the state has at the same time attempted to ban any birth certificate changes, which would then create a de facto ban on driver’s license changes (for those who had not already updated their birth certificate). While the state’s new 2024 driver’s license policy does not currently appear to be publicly available, see reporting [here](#) and [here](#) for confirmation, as well as a 2024 [ACLU lawsuit](#) regarding the new policy.

Nebraska

- (0.5) State uses easy to understand form and requires provider certification, accepted only from a limited range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See the Nebraska Department of Motor Vehicles form [Certification of Sex Reassignment](#)



Nevada

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license. (See [here](#), 2019)
- [State DMV](#): "Your driver's license or ID card will indicate the gender you choose on the application. Medical certification of a gender change is not necessary." [NAC 483.070](#).

New Hampshire

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See [Form DSMV 450](#) (Aug 2021) and [HB 669](#) (2019, effective 1/1/20). Individuals seeking an updated gender marker use the same [application form](#) as applying for a new or renewed license, and [are instructed](#) to check "replacement" and list the reason as "gender change."

New Jersey

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license
 - First announced in Feb 2020, became available in April 2021
- See the [New Jersey MVC Gender Designation Form](#)

New Mexico

- (1) State uses easy to understand form and does not require any provider certification.
 - Note that notarization of the form is required.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See Form [MVD 10237](#)

New York

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license ([announced](#) Nov 2020, first available May 2022)
- See [Form MV-44](#) and [A.5465D, "The Gender Recognition Act"](#) (June 2021), removing former requirement of provider attestation (from broad range of providers) and legislatively requiring gender-neutral X options on all state-issued identity documents.

North Carolina

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See DMV's Sex Designation Form, [Form DL-300](#) (Jan 2019).

North Dakota

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See DOT's Gender Designation Form, [Form SFN 61146](#) (last revised Nov 2016).



Ohio

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See the Ohio BMV's [Declaration of Gender Change form](#) (BMV 2369, Sept 2019).

Oklahoma

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See the [Oklahoma Department of Public Safety website](#) and NCTE's [state page](#)

Oregon

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See ["Changing Your Sex Designation on Your DL or ID"](#)

Pennsylvania

- (1) State uses easy to understand form and does not require any provider certification. (2/2020)
- (0.5) State allows residents to mark M, F, or X on their driver's license. (2/2020)
- See [PennDOT's Form DL-32 "Request for Gender Change on Driver's License/Identification Card" form](#) and additional information [here](#)

Rhode Island

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license
- See the [Rhode Island Division of Motor Vehicles Name and Gender Change Information](#)

South Carolina

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- See the [South Carolina Department of Motor Vehicles website](#) or NCTE's [state page](#)

South Dakota

- (0) State has unclear, unknown or unwritten policy regarding gender marker changes.
- (0) State only allows residents to identify as male or female
- However, see the [South Dakota DPS's FAQs](#) requiring any name changes to be supported by legal documents proving the name change. Similar requirements could be imposed for gender change requests.



Tennessee

- (-1) State does not allow for changes to gender marker on driver's license
- (0) State only allows residents to identify as male or female
- See TN Department of Safety & Homeland Security DLP-302 (July 2023; on file with MAP; see also [reporting at the time](#)), stating that following the state's new law regulating gender and defining "sex", the agency would no longer allow gender marker changes on driver's licenses.
 - In April 2024, a [lawsuit was filed](#) against this policy.
- Formerly, (-1) state required proof of surgery, court order, and/or amended birth certificate. See Tennessee Department of Safety Rule 1340-1-13-.12 (6) ([2008 archive](#); [2021 version](#); full and current set of TN rules and regulations [here](#), though note that as of April 2024, the new total ban on gender marker changes was not yet reflected in those regulations).

Texas

- (-1) State does not allow for changes to gender marker on driver's license
- (0) State only allows residents to identify as male or female
- Formerly, state allowed changes though required proof of surgery, court order, and/or amended birth certificate. See [reporting](#) of the August 2024 sudden change.
- See the [Texas Department of Public Safety website](#)

Utah

- (0.25) State has no form. No proof of surgery or court order required, but does have burdensome process requirements and/or required provider certification accepted only from a limited range of licensed professionals.
 - State accepts updated birth certificate or passport
- (0.5) State allows residents to mark M, F, or X on their driver's license. (See [here](#))
- See the [Utah Department of Public Safety's website](#)

Vermont

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license. (See [here](#))
- See the [Vermont Department of Motor Vehicles website](#)

Virginia

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license
- See [SB 246](#) (2020). Individuals seeking an updated gender marker [must apply for a replacement](#) license, using the same form as applying for a new license, [Form DL1P](#) (1/1/2021).

Washington

- (1) State uses easy to understand form and does not require any provider certification.
- (0.5) State allows residents to mark M, F, or X on their driver's license.
- See [Form DLE-520-043](#) or the [Washington State Department of Licensing website](#)



West Virginia

- (0.5) State uses easy to understand form and requires provider certification, accepted only from a limited range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See the [West Virginia Division of Motor Vehicles Gender Designation Form](#)

Wisconsin

- (0.25) State has no form. No proof of surgery or court order required, but does have burdensome process requirements and/or required provider certification accepted only from a limited range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See the [Wisconsin Department of Transportation website](#)

Wyoming

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See the [Gender Designation Change Request Form](#) and more information [here](#)

U.S. Territories

American Samoa

- (0) State has unclear, unknown or unwritten policy regarding gender marker changes.
- (0) State only allows residents to identify as male or female
- There is "[no established policy for amending the gender marker on a driver's license.](#)"

Guam

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- "[The applicant must provide the court order for the legal name change and/or a sworn statement from a physician that the license holder's sex has been changed.](#)"

Commonwealth of the Northern Mariana Islands

- (-0.75) State requires proof of surgery, court order, and/or amended birth certificate.
- (0) State only allows residents to identify as male or female
- "[In order to change the name and gender marker on a driver's license, the license holder must provide both the court order for the legal name and gender change, as well as a valid passport or original birth certificate.](#)"



movement advancement project ▶

Puerto Rico

- (0.75) State uses easy to understand form and requires provider certification, accepted from a broad range of licensed professionals.
- (0) State only allows residents to identify as male or female
- See guidance from [NCTE's Identity Documents Center](#) and [Form DTOP-DIS-324](#) (August 2015).

U.S. Virgin Islands

- (0) State has unclear, unknown or unwritten policy regarding gender marker changes.
- (0) State only allows residents to identify as male or female
- [No clear or established policy for amending the gender marker on a driver's license.](#)