



LAW ENFORCEMENT INFORMATION MEMO 19-09
SUBJECT: New Law Regarding Gender Categories: Male, Female, and Nonbinary: Update
Memo Date: April 5, 2019

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Purpose

To provide information to law enforcement agencies regarding the process for obtaining a driver license or identification (DL/ID) card with the new nonbinary gender category. **This memo supersedes Law Enforcement Information Memo 18-23 dated December 28, 2018.**

Background

The Department of Motor Vehicles (DMV) previously issued DL/ID cards with either a Male "M" or Female "F" gender category as required by law. In addition to the other requirements to obtain a DL/ID card, applicants seeking a gender change were required to submit a Medical Certification and Authorization (Gender Change) form DL 329 that was signed and completed by a physician or psychologist licensed in the United States.

New Information

Effective January 1, 2019, in accordance with Senate Bill 179 (Atkins, Ch. 853, Stats. 2017) also known as the "Gender Recognition Act," DMV began allowing DL/ID card applicants to self-certify to their chosen gender category of male, female, or nonbinary. The nonbinary gender category will be denoted on the new DL/ID card, printouts, and on the driver record as either an "X" or "NBINARY" depending on the inquiry system. Male will continue to be denoted as "M" and Female as "F". The gender code "X" has become the standard for a nonbinary gender category. DMV inquires via the California Law Enforcement Telecommunications System (CLETS) will utilize the codes listed above.

IMPORTANT: Inquiries may report gender as "Unknown" if a person's gender was not captured when the record was created (e.g. unlicensed citations, "X" numbers, etc.) or the gender was updated by a state that does not use or recognize a nonbinary gender

Contact

Questions regarding the information contained in this memo or changes to the email distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via email at jaglaw@dmv.ca.gov.



SONIA HUESTIS
Deputy Director
Communication Programs Division
