



Center for Immigration
Law and Policy



August 7, 2025

Dear Department of Motor Vehicles (DMV):

We write to affirm that holders of Temporary Protected Status (TPS) from Nepal, Honduras, and Nicaragua are entitled to drivers' licenses. As a result of ongoing litigation, Nepali, Honduran, and Nicaraguan TPS holders continue to have legal authorization to live and work in the United States, and as such, are entitled to driver's licenses. We urgently request that you take action to ensure that, in accordance with the law, the DMV upholds the validity of drivers' licenses to Nepali, Honduran, and Nicaraguan TPS holders, and approves requests for drivers' licenses or their renewal.

On July 31, 2025, in *National TPS Alliance v. Noem*, Case No. 25-cv-05687-TLT (N.D. Cal.), a federal court postponed any and all implementation or enforcement of the Trump Administration's efforts to terminate TPS for Nepal on August 5, 2025, and to terminate TPS for Honduras, and Nicaragua on September 8, 2025. These TPS decisions have been postponed to preserve the status quo until a hearing on the merits on November 18, 2025, where the postponement will be subject to extension. Nepali, Honduran, and Nicaraguan TPS holders who were scheduled to lose work authorization and lawful status either in August or September will instead maintain both, pending a final decision in the case, until **at least November 18, 2025**.

All TPS holders are granted drivers' licenses under the REAL ID Act for at least one year. The REAL ID Act permits the issuance of a driver's license to individuals with approved applications for TPS. *See* REAL ID Act of 2005, Pub. L. No. 109-13 Sec. 202 (c)(2)(C)(i-ii). The Act provides that, for TPS holders, the State may issue a temporary driver's license or temporary identification card to the person which "shall be valid only during the period of time of the applicant's authorized stay in the United States, *or, if there is no definite end to the period of authorized stay, a period of one year.*" *Id.* Given the federal court's postponement, Nepali, Honduran, and Nicaraguan TPS holders' period of authorized stay will extend through *at least* November 18, 2025. Thus, such TPS holders are entitled to hold valid drivers' licenses for one year, given that their current legal status is indefinite.

We urge you to ensure that TPS holders can continue to access appropriate drivers' licenses by (1) issuing official guidance regarding how the DMV must affirm the validity of existing drivers' licenses, or for an initial drivers' license granting drivers' licenses; (2) providing training for DMV officials to ensure that the official guidance is followed; and (3) monitoring the implementation of the guidance.

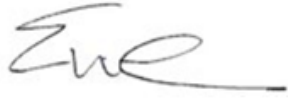
These TPS holders are valued members of the community who contribute significantly to the state's economy and workforce. The ability to maintain valid drivers' licenses is essential to TPS holders' lives and livelihoods.

American Civil Liberties Union Foundation of Northern California

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Sincerely,

A handwritten signature in dark ink, appearing to read 'Emi', with a long horizontal stroke extending to the right.

Emi MacLean
ACLU of Northern California

Jessica Bansal
National Day Laborer Organizing Network

Ahilan Arulanantham
UCLA Center for Immigration Law and Policy

Counsel for Plaintiffs in *National TPS Alliance, et al. v. Kristi Noem, et al.*