

STATE OF TENNESSEE
OFFICE OF THE
ATTORNEY GENERAL
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February 13, 2008

Opinion No. 08-25

Validity of International Driver Licenses

QUESTIONS

1. Does Tennessee recognize international driver licenses?
2. What are the criteria for a valid international driver license?

OPINIONS

1. There is no "international driver license." Tennessee does recognize driver licenses issued by other countries.

2. Tenn. Code Ann. § 55-50-304 states that under certain conditions, persons can legally drive in this state as long as they are in possession of a valid driver license issued by another country. The statute provides no other requirements as to the form this license must take or require a translation.

ANALYSIS

1. The United States is a party to the 1949 Geneva United Nations Convention on Road Traffic, which authorizes signatories to issue an International Driver Permit.¹ This treaty states that signatories may require drivers from other countries to possess an International Driver Permit along with a standard driver license issued by a competent government authority. Tennessee does not require the International Driver Permit. Tennessee law authorizes certain persons to drive in this State without obtaining a Tennessee-issued driver license if they are in possession of a license issued by another state or country. The United States is not party to any other treaty that establishes an "international driver license."

2. Exceptions for driving in this state without a Tennessee-issued driver license are found in Tenn. Code Ann. § 55-50-304. Generally, a statute that expressly excludes certain actions implies that no other prohibitions are intended. *Sheely v. McLemore*, 153 Tenn. 498, 502-503, 284

¹ The United States Department of State authorizes the American Automobile Association and the American Automobile Touring Alliance to issue an International Driver Permit. This permit is not a license. It is a multi-lingual translation of a government-issued license and certification that the license is valid.

S.W. 61 (1926). In construing statutes, courts are supposed to "ascertain and give effect to the legislative intent without unduly restricting or expanding a statute's coverage beyond its intended scope." *Wilson v. Johnson County*, 879 S.W.2d 807, 809 (Tenn. 1994). When the statute is unambiguous, legislative intent is determined from the plain and ordinary meaning of the language used. *Freeman v. Marco Transp. Co.*, 27 S.W.3d 909, 911 (Tenn. 2000). The statutory language must be "read in the context of the entire statute, without any forced or subtle construction which would extend or limit its meaning." *National Gas Distribs. v. State*, 804 S.W.2d 66, 67 (Tenn. 1991). Tenn. Code Ann. § 55-50-304 is plain and unambiguous, and, therefore, the appropriate statutory interpretation can be found in the plain meaning of the statute.

Tennessee exempts drivers who are sixteen or older from obtaining a Tennessee-issued driver license if they are a nonresident of this State and possess a driver license issued by any other state or country.² Certain resident non-citizens employed in technical or managerial positions may legally drive in this state for six months for work related business while in possession of a driver license issued by another state, country, or international body. Additionally, newly arrived Tennessee residents may continue to drive on a license issued by another state or country for the first thirty days after establishing residency. Tennessee law also recognizes licenses and permits from other states or countries that authorize a driver to operate a heavy vehicle of comparable class in this state, so long as the driver is twenty-one or older. See Tenn. Code Ann. §55-50-304.

The International Driver Permit is not required under any Tennessee statute. Since the International Driver Permit is an internationally standardized translation and verification of license validity, it can be used by law enforcement as an aid to determine a person's identity and the validity of their foreign-issued license. However, an International Driver Permit is neither required to drive legally in this State nor serves as a valid substitute for a license issued by this State or any other state or country.

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²Additional exemptions exist for certain members of the armed forces and their spouses.

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