



Department of the Secretary of State *Bureau of Motor Vehicles*

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Guidance about Gender Designations on Maine Driver's Licenses

Guidance as of March 3, 2025

Changes at the federal level regarding United States passport issuance have led to questions about whether any changes to the laws or rules around driver license and identity card issuance are forthcoming at the state level. The short answer is no. We welcome every Mainer, and we will continue to provide excellent customer service to every Mainer. The Secretary of State remains respectful of everyone, including those who are transgender, non-binary, and gender expansive.

1. Will my driver's license or state ID need to be updated to reflect my sex assigned at birth?

- No. Maine-issued driver's licenses and state IDs are governed by state laws, not the federal executive order. That means that individuals may receive or update a credential to reflect their gender identity. The executive order does not override Maine human rights law.

2. Can I change the gender marker on my state ID to match my gender identity?

- Yes, under current Maine BMV policies, individuals can request a gender marker change to align with their gender identity. Contact the Maine BMV for specific procedures and requirements.

3. Does this executive order affect Real ID compliance?

- Real ID compliance remains unchanged for state-issued IDs at this time.

4. Will the BMV deny me a license if my gender identity doesn't match my sex assigned at birth?

- No, the Maine BMV does not require gender identity to match sex assigned at birth for issuing licenses. Under Maine's civil rights law, current policies allow gender marker changes for Maine licenses and ID cards.

5. Does the executive order require the BMV to change how it collects or displays gender information?

- No, the executive order applies to federal agencies and does not mandate changes to Maine BMV policies regarding the collection or display of gender information.

6. If my state-issued ID lists a gender marker that doesn't align with the executive order, will it still be valid?

- Yes, your state-issued ID remains valid for use in Maine. The executive order does not invalidate existing state documents.

7. Will TSA and federal buildings honor my Real ID if it has an "X" gender marker?

- The Department of Homeland Security (DHS) has not announced changes regarding Real IDs with an "X" gender marker. However, passport applications and renewals and other federal documents must reflect sex assigned at birth. Customers should check DHS policies for updates.

8. Does the executive order apply retroactively to existing passports or IDs?

- **The White House Press Secretary told reporters in January 2025 that this new rule will not be applied retroactively.** Passports issued before the executive order, including those with updated gender markers or an "X," should remain valid until their expiration date.

9. When I need to renew my passport will it need to match my sex assigned at birth?

- Yes, under the executive order, moving forward, only passports with an M or F sex marker that match the customer's biological sex at birth will be issued, regardless of previous gender markers.