

## Department of Motor Vehicles

### Definition of a Resident of NYS

**Definition of a Resident.** If you become a resident of NYS, you must exchange your driver license and vehicle registration from another state for a NYS driver license and vehicle registration within 30 days. If you have a driver license from another state, you must get a driver license from NYS within 30 days after you become a resident of NYS. If you have a vehicle registration from another state, you must get a vehicle registration from NYS within 30 days after you become a resident of NYS.

Section 250 (5) of the Vehicle and Traffic Law defines the term "resident." The law defines a resident as a person who lives in NYS with the intent to make NYS a "fixed and permanent" place to live. To live in a house, a home, an apartment, a room or other similar place in NYS for 90 days is considered "presumptive evidence" that you are a resident of NYS. A police officer can use this evidence as the reason to issue a traffic ticket if you drive in NYS without a driver license or vehicle registration issued by NYS.

A judge considers the law and the evidence of your intent and decides if you are a resident of NYS. For example, if you pay taxes or your children attend school in another state, a judge considers these facts to decide if your intent is to make NYS a "fixed and permanent" residence. The DMV will not decide if you are a resident of NYS, if you must get a NYS driver license, or if you must register your vehicle in NYS.

According to this law, students from other states or from other nations who attend school in NYS are normally not considered residents of NYS.

**[Driver License](#) | [Vehicle Registration](#)**