



Chapter 4 - Commuter Cards

Guidance

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Under normal circumstances, a lawful permanent resident (LPR) is considered to have abandoned his or her status if he or she moves to another country with the intent to reside there permanently. However, in certain situations, an LPR may commence or continue to reside in a foreign contiguous territory and commute to the United States for employment.^[1] This administrative grant of “commuter status” is only available to LPRs living in Canada or Mexico.

The two types of commuters are as follows:

- Those who commute for regular employment in the United States; and
- Those who enter to perform seasonal work in the United States, but whose presence in the United States is for 6 months or less, in the aggregate, during any continuous 12-month period (seasonal commuters or seasonal workers).

LPRs must use the Application to Replace Permanent Resident Card ([Form I-90](#)) to take up commuter status or when taking up actual residence in the United States after having been a commuter.^[2] Commuters receive a Permanent Resident Card (PRC) that indicates their status as a commuter. Commuters must also use Form I-90 to replace their commuter PRCs.^[3]

A. Eligibility Requirements

1. Obtaining Commuter Status

To be eligible for commuter status, an applicant must meet the following requirements:

- Establish LPR status;
- Establish he or she lives in Canada or Mexico;^[4] and
- Establish employment in the United States within the 6 months before filing.

Evidence of employment may include, but is not limited to:

- Employment pay stubs showing employment in the United States; or
- An employment letter on company letterhead showing current employment in the United States.

Applicants should refer to the [Form I-90 instructions \(PDF, 286.97 KB\)](#) for further information on evidentiary requirements. Upon approval, USCIS issues the applicant a PRC indicating status as a commuter.^[5]

2. Removing Commuter Status

A commuter who begins residing in the United States after having been a commuter must use Form I-90 to request to remove commuter status from his or her PRC. The commuter should submit evidence of a U.S. address with Form I-90. Evidence may include, but is not limited to, a lease agreement, property deed, or utility bill(s) dated within the 6 months before filing Form I-90. Applicants should refer to the [Form I-90 instructions \(PDF, 286.97 KB\)](#) for further information on evidentiary requirements.

A seasonal worker is presumed to be residing in the United States if he or she is present in the United States for more than 6 months, in the aggregate, during any continuous 12-month period. In such a case, the seasonal worker is no longer eligible for commuter status.^[6]

B. Loss of Permanent Resident Status for Commuters^[7]

A commuter who has been out of regular employment in the United States for a continuous period of 6 months loses LPR status.^[8] However, an exception applies when employment in the United States was interrupted for reasons beyond the person's control (other than lack of a job opportunity) or when the commuter can demonstrate that he or she has worked 90 days in the United States during the 12-month period before the application for admission into the United States at a port of entry.^[9]

Footnotes

1. ^[^] See [8 CFR 211.5\(a\)](#).
2. ^[^] See [8 CFR 264.5\(b\)\(5\)](#).
3. ^[^] See Chapter 2, Replacement of Permanent Resident Card [[11 USCIS-PM B.2](#)] for general information.
4. ^[^] See [8 CFR 211.5\(a\)](#).
5. ^[^] The PRC cannot be mailed outside the United States; therefore, the commuter must designate his or her usual port-of-entry (POE) on the Form I-90 so that his or her PRC may be mailed to the designated POE for pick-up. Customs and Border Protection (CBP) also issues a Commuter Status Card (Form I-178) that must be carried while traveling across the border. The Form I-178 is valid for 6 months and must be renewed with CBP at 6-month intervals. Renewal requires presenting proof of ongoing employment in the United States.
6. ^[^] See [8 CFR 211.5\(a\)](#).
7. ^[^] See [8 CFR 211.5\(b\)](#).
8. ^[^] See [8 CFR 211.5\(b\)](#).
9. ^[^] See [8 CFR 211.5\(b\)](#).

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