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SENATE BILL 6643

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State of Washington

55th Legislature

1998 Regular Session

By Senator Oke

Read first time 01/26/98. Referred to Committee on Transportation.

1 AN ACT Relating to the name of record on a driver's license; and  
2 amending RCW 46.20.035, 46.20.091, 46.20.161, and 46.20.205.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.20.035 and 1993 c 452 s 1 are each amended to read  
5 as follows:

6 (1) The department may not issue an identicard or a Washington  
7 state driver's license, except as provided in RCW 46.20.116, unless the  
8 applicant has satisfied the department regarding his or her identity.  
9 Except as provided in subsection (2) of this section, an applicant has  
10 not satisfied the identity requirements of this section unless he or  
11 she displays or provides the department with at least one of the  
12 following pieces of valid identifying documentation:

13 (a) A valid or recently expired driver's license or instruction  
14 permit that contains the signature, date of birth, and a photograph of  
15 the applicant;

16 (b) A Washington state identicard or an identification card issued  
17 by another state that contains the signature and a photograph of the  
18 applicant;

1 (c) An identification card issued by the United States, a state, or  
2 an agency of either the United States or a state, of a kind commonly  
3 used to identify the members of employees of the government agency,  
4 that contains the signature and a photograph of the applicant;

5 (d) A military identification card that contains the signature and  
6 a photograph of the applicant;

7 (e) A United States passport that contains the signature and a  
8 photograph of the applicant;

9 (f) An immigration and naturalization service form that contains  
10 the signature and photograph of the applicant; or

11 (g) If the applicant is a minor, an affidavit of the applicant's  
12 parent or guardian where the parent or guardian displays or provides at  
13 least one piece of identifying documentation as specified in this  
14 subsection along with additional documentation establishing the  
15 relationship between the parent or guardian and the applicant.

16 (2) A person unable to provide identifying documentation as  
17 specified in subsection (1) of this section may request that the  
18 department review other available documentation in order to ascertain  
19 identity. The department may waive the requirement for specific  
20 identifying documentation under subsection (1) of this section if it  
21 finds that other documentation clearly establishes the identity of the  
22 applicant.

23 (3) The form of an applicant's name, as established under this  
24 section, must be the person's name of record for the purposes of this  
25 chapter.

26 **Sec. 2.** RCW 46.20.091 and 1996 c 287 s 5 are each amended to read  
27 as follows:

28 (1) Every application for an instruction permit or for an original  
29 driver's license shall be made upon a form prescribed and furnished by  
30 the department which shall be sworn to and signed by the applicant  
31 before a person authorized to administer oaths. An applicant making a  
32 false statement under this subsection is guilty of false swearing, a  
33 gross misdemeanor, under RCW 9A.72.040. Every application for an  
34 instruction permit containing a photograph shall be accompanied by a  
35 fee of five dollars. The department shall forthwith transmit the fees  
36 collected for instruction permits and temporary drivers' permits to the  
37 state treasurer.

1 (2) Every such application shall state the ((full)) name of record,  
2 date of birth, sex, and Washington residence address of the applicant,  
3 and briefly describe the applicant, and shall state whether the  
4 applicant has theretofore been licensed as a driver or chauffeur, and,  
5 if so, when and by what state or country, and whether any such license  
6 has ever been suspended or revoked, or whether an application has ever  
7 been refused, and, if so, the date of and reason for such suspension,  
8 revocation, or refusal, and shall state such additional information as  
9 the department shall require, including a statement that identifying  
10 documentation presented by the applicant is valid.

11 (3) Whenever application is received from a person previously  
12 licensed in another jurisdiction, the department shall request a copy  
13 of such driver's record from such other jurisdiction. When received,  
14 the driving record shall become a part of the driver's record in this  
15 state.

16 (4) Whenever the department receives request for a driving record  
17 from another licensing jurisdiction, the record shall be forwarded  
18 without charge if the other licensing jurisdiction extends the same  
19 privilege to the state of Washington. Otherwise there shall be a  
20 reasonable charge for transmittal of the record, the amount to be fixed  
21 by the director of the department.

22 **Sec. 3.** RCW 46.20.161 and 1990 c 250 s 40 are each amended to read  
23 as follows:

24 The department, upon receipt of a fee of fourteen dollars, which  
25 includes the fee for the required photograph, shall issue to every  
26 applicant qualifying therefor a driver's license, which license shall  
27 bear thereon a distinguishing number assigned to the licensee, the  
28 ((full)) name of record, date of birth, Washington residence address,  
29 photograph, and a brief description of the licensee, and either a  
30 facsimile of the signature of the licensee or a space upon which the  
31 licensee shall write his usual signature with pen and ink immediately  
32 upon receipt of the license. No license is valid until it has been so  
33 signed by the licensee.

34 **Sec. 4.** RCW 46.20.205 and 1996 c 30 s 4 are each amended to read  
35 as follows:

36 Whenever any person after applying for or receiving a driver's  
37 license or identicard moves from the address named in the application

1 or in the license or identicard issued to him or her or when the name  
2 of record of a licensee or holder of an identicard is changed by  
3 marriage or otherwise, the person shall within ten days thereafter  
4 notify the department in writing on a form provided by the department  
5 of his or her old and new addresses or of such former and new names and  
6 of the number of any license then held by him or her. The written  
7 notification, or other means as designated by rule of the department,  
8 is the exclusive means by which the address of record maintained by the  
9 department concerning the licensee or identicard holder may be changed.  
10 The form must contain a place for the person to indicate that the  
11 address change is not for voting purposes. The department of licensing  
12 shall notify the secretary of state by the means described in RCW  
13 29.07.270(3) of all change of address information received by means of  
14 this form except information on persons indicating that the change is  
15 not for voting purposes. Any notice regarding the cancellation,  
16 suspension, revocation, disqualification, probation, or nonrenewal of  
17 the driver's license, commercial driver's license, driving privilege,  
18 or identicard mailed to the address of record of the licensee or  
19 identicard holder is effective notwithstanding the licensee's or  
20 identicard holder's failure to receive the notice. The department of  
21 licensing shall not change the name of record of a person under this  
22 section unless the person has again satisfied the department regarding  
23 his or her identity in the manner provided by RCW 46.20.035.

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