
ENGROSSED SUBSTITUTE HOUSE BILL 1289

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Clibborn, Campbell, VanDeWege, Dickerson, Moeller and Morrell; by request of Department of Licensing)

READ FIRST TIME 3/5/07.

1 AN ACT Relating to the issuance of enhanced drivers' licenses and
2 identicards to facilitate crossing the Canadian border; adding new
3 sections to chapter 46.20 RCW; creating a new section; and declaring an
4 emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20 RCW
7 to read as follows:

8 (1) The department may enter into a memorandum of understanding
9 with any federal agency for the purposes of facilitating the crossing
10 of the border between the state of Washington and the Canadian province
11 of British Columbia.

12 (2) The department may enter into an agreement with the Canadian
13 province of British Columbia for the purposes of implementing a border-
14 crossing initiative.

15 (3)(a) The department may issue an enhanced driver's license or
16 identicard for the purposes of crossing the border between the state of
17 Washington and the Canadian province of British Columbia to an
18 applicant who provides the department with proof of: United States
19 citizenship, identity, and state residency. The department shall

1 continue to offer a standard driver's license and identicard. If the
2 department chooses to issue an enhanced driver's license, the
3 department must allow each applicant to choose between a standard
4 driver's license or identicard, or an enhanced driver's license or
5 identicard.

6 (b) The department shall implement a one-to-many biometric matching
7 system for the enhanced driver's license or identicard. An applicant
8 for an enhanced driver's license or identicard shall submit a biometric
9 identifier as designated by the department. The biometric identifier
10 must be used solely for the purpose of verifying the identity of the
11 holders and for any purpose set out in RCW 46.20.037. Applicants are
12 required to sign a declaration acknowledging their understanding of the
13 one-to-many biometric match.

14 (c) The enhanced driver's license or identicard must include
15 reasonable security measures to protect the privacy of Washington state
16 residents, including reasonable safeguards to protect against
17 unauthorized disclosure of data about Washington state residents. If
18 the enhanced driver's license or identicard includes a radio frequency
19 identification chip, or similar technology, the department shall ensure
20 that the technology is encrypted or otherwise secure from unauthorized
21 data access.

22 (d) The requirements of this subsection are in addition to the
23 requirements otherwise imposed on applicants for a driver's license or
24 identicard. The department shall adopt such rules as necessary to meet
25 the requirements of this subsection. From time to time the department
26 shall review technological innovations related to the security of
27 identity cards and amend the rules related to enhanced driver's
28 licenses and identicards as the director deems consistent with this
29 section and appropriate to protect the privacy of Washington state
30 residents.

31 (e) Notwithstanding RCW 46.20.118, the department may make images
32 associated with enhanced drivers' licenses or identicards from the
33 negative file available to United States customs and border agents for
34 the purposes of verifying identity.

35 (4) The department may set a fee for the issuance of enhanced
36 drivers' licenses and identicards under this section.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20 RCW
2 to read as follows:

3 The department shall develop and implement a statewide education
4 campaign to educate Washington citizens about the border crossing
5 initiative authorized by this act. The educational campaign must
6 include information on the forms of travel for which the existing and
7 enhanced driver's license can be used. The campaign must include
8 information on the time frames for implementation of laws that impact
9 identification requirements at the border with Canada.

10 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
11 act, referencing this act by bill or chapter number, is not provided by
12 June 30, 2007, in the omnibus transportation appropriations act, this
13 act is null and void.

14 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately.

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