
SUBSTITUTE SENATE BILL 5087

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Transportation (originally sponsored by
Senators Haugen, Swecker and Murray)

READ FIRST TIME 01/31/07.

1 AN ACT Relating to compliance with the federal REAL ID Act of 2005;
2 adding a new section to chapter 43.41 RCW; and adding new sections to
3 chapter 46.20 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.41 RCW
6 to read as follows:

7 A state agency or program may not expend funds to implement or
8 comply with the REAL ID Act of 2005, P.L. 109-13, unless: (1) The
9 requirements of section 2 of this act are met; and (2) federal funds
10 are received by the state of Washington and are (a) allocated to fund
11 the implementation of the REAL ID Act of 2005 in the state, and (b) in
12 amounts sufficient to cover the costs of the state implementing or
13 complying with the REAL ID Act of 2005, as those costs are estimated by
14 the office of financial management. The director of the office of
15 financial management shall ensure compliance with this section.

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

18 Before issuing a driver's license or identicard that complies with

1 the requirements of the REAL ID Act of 2005, P.L. 109-13, and before
2 storing or including data about Washington state residents in any
3 database, records facility, or computer system for purposes of meeting
4 the requirements of the REAL ID Act of 2005, the department of
5 licensing shall certify that the driver's license, identicard,
6 database, records facility, computer system, and the department's
7 personnel screening and training procedures: (1) Include all
8 reasonable security measures to protect the privacy of Washington state
9 residents; (2) include all reasonable safeguards to protect against
10 unauthorized disclosure of data; and (3) do not place unreasonable
11 costs or recordkeeping burdens on a driver's license or identicard
12 applicant.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.20 RCW
14 to read as follows:

15 (1) The department of licensing and the office of financial
16 management may analyze the costs and burdens to the state of
17 Washington, and to applicants of drivers' licenses or identicards, of
18 complying with the requirements of the REAL ID Act of 2005, P.L. 109-
19 13, and any related federal regulations.

20 (2) The attorney general may, with approval of the governor,
21 challenge the legality or constitutionality of the REAL ID Act of 2005.

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