

**ESSB 5262** - H COMM AMD

By Committee on Public Safety & Emergency Preparedness

ADOPTED 04/13/2009

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 46.20.118 and 2005 c 274 s 307 and 2005 c 246 s 23  
4 are each reenacted and amended to read as follows:

5 (1) The department shall maintain a negative file. It shall  
6 contain negatives of all pictures taken by the department of licensing  
7 as authorized by ((RCW 46.20.070 through 46.20.119)) this chapter.  
8 Negatives in the file shall not be available for public inspection and  
9 copying under chapter 42.56 RCW.

10 (2) The department may make the file available to official  
11 governmental enforcement agencies to assist in the investigation by the  
12 agencies of suspected criminal activity or for the purposes of  
13 verifying identity when a law enforcement officer is authorized by law  
14 to request identification from an individual.

15 (3) The department shall make the file available to the office of  
16 the secretary of state, at the expense of the secretary of state, to  
17 assist in maintenance of the statewide voter registration database.

18 (4) The department may also provide a print to the driver's next of  
19 kin in the event the driver is deceased."

20 Correct the title.

EFFECT: Deletes the new subsection that authorizes the DOL to share their picture files with judicial officers to assist in verifying the identity of an individual in a court proceeding. These files were only to be made available only if the requesting judicial officer declares to the DOL that he or she has given prior notice to the parties that the request is being made to the DOL.

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