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HOUSE BILL 2471

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State of Washington                      63rd Legislature                      2014 Regular Session

By Representatives Blake, Hayes, Lytton, and Kretz

Read first time 01/17/14. Referred to Committee on Transportation.

1            AN ACT Relating to the design and use of drivers' licenses,  
2 drivers' instruction permits, and identicards for minors; and amending  
3 RCW 46.20.105, 46.20.117, 70.155.090, and 66.20.180.

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

5            **Sec. 1.** RCW 46.20.105 and 2000 c 115 s 5 are each amended to read  
6 as follows:

7            (1) ~~The department ((may provide a method to distinguish the~~  
8 ~~driver's license of a person who is under the age of twenty one from~~  
9 ~~the driver's license of a person who is twenty one years of age or~~  
10 ~~older)) must distinguish drivers' licenses and drivers' instruction  
11 permits according to age of the holder as follows:~~

12            (a) To indicate that the holder of a driver's license or  
13 instruction permit is under the age of eighteen, the text on the  
14 driver's license or instruction permit must be printed in red ink and  
15 the design must include the text "UNDER 18" in a conspicuous location  
16 on the front of the license or instruction permit.

17            (b) To indicate that the holder of a driver's license or  
18 instruction permit is eighteen years of age or older but under the age  
19 of twenty-one, the text on the driver's license or instruction permit

1 must be printed in yellow ink and the design must include the text  
2 "UNDER 21" in a conspicuous location on the front of the license or  
3 instruction permit.

4 (c) To indicate that the holder of a driver's license or  
5 instruction permit is twenty-one years of age or older, the text on the  
6 driver's license or instruction permit must be printed in green ink.

7 (2) (~~An~~) A driver's instruction permit must be identified as an  
8 "instruction permit" and issued in a distinctive form as determined by  
9 the department.

10 (3) An intermediate license must be identified as an "intermediate  
11 license" and issued in a distinctive form as determined by the  
12 department.

13 **Sec. 2.** RCW 46.20.117 and 2012 c 80 s 6 are each amended to read  
14 as follows:

15 (1) **Issuance.** The department shall issue an identicard, containing  
16 a picture, if the applicant:

17 (a) Does not hold a valid Washington driver's license;

18 (b) Proves his or her identity as required by RCW 46.20.035; and

19 (c) Pays the required fee. Except as provided in subsection (5) of  
20 this section, the fee is forty-five dollars from October 1, 2012, to  
21 June 30, 2013, and fifty-four dollars after June 30, 2013, unless an  
22 applicant is a recipient of continuing public assistance grants under  
23 Title 74 RCW, who is referred in writing by the secretary of social and  
24 health services. For those persons the fee must be the actual cost of  
25 production of the identicard.

26 (2) **Design and term.** The identicard must:

27 (a) Be distinctly designed so that it will not be confused with the  
28 official driver's license and be distinguished according to age of the  
29 holder as follows:

30 (i) To indicate that a person is under the age of eighteen, the  
31 text on the identicard must be printed in red ink and the design must  
32 include the text "UNDER 18" in a conspicuous location on the front of  
33 the identicard;

34 (ii) To indicate that a person is eighteen years of age or older  
35 but under the age of twenty-one, the text on the identicard must be  
36 printed in yellow ink and the design must include the text "UNDER 21"  
37 in a conspicuous location on the front of the identicard;

1 (iii) To indicate that a person is twenty-one years of age or  
2 older, the text on the identicard must be printed in green ink; and

3 (b) Except as provided in subsection (5) of this section, expire on  
4 the sixth anniversary of the applicant's birthdate after issuance.

5 (3) **Renewal.** An application for identicard renewal may be  
6 submitted by means of:

7 (a) Personal appearance before the department; or

8 (b) Mail or electronic commerce, if permitted by rule of the  
9 department and if the applicant did not renew his or her identicard by  
10 mail or by electronic commerce when it last expired.

11 An identicard may not be renewed by mail or by electronic commerce  
12 unless the renewal issued by the department includes a photograph of  
13 the identicard holder.

14 (4) **Cancellation.** The department may cancel an identicard if the  
15 holder of the identicard used the card or allowed others to use the  
16 card in violation of RCW 46.20.0921.

17 (5) **Alternative issuance/renewal/extension.** The department may  
18 issue or renew an identicard for a period other than five years from  
19 October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or  
20 may extend by mail or electronic commerce an identicard that has  
21 already been issued, in order to evenly distribute, as nearly as  
22 possible, the yearly renewal rate of identicard holders. The fee for  
23 an identicard issued or renewed for a period other than five years from  
24 October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or  
25 that has been extended by mail or electronic commerce, is nine dollars  
26 for each year that the identicard is issued, renewed, or extended. The  
27 department may adopt any rules as are necessary to carry out this  
28 subsection.

29 **Sec. 3.** RCW 70.155.090 and 2006 c 14 s 4 are each amended to read  
30 as follows:

31 (1) ~~((where))~~ (a) When there may be a question of a person's right  
32 to purchase or obtain tobacco products by reason of age, the retailer  
33 or agent ~~((thereof,))~~ shall require the purchaser to present any one of  
34 the following officially issued identification that shows the  
35 purchaser's age and bears his or her signature and photograph: ~~((+a))~~  
36 (i) Liquor control authority card of identification of a state or  
37 province of Canada; ~~((+b))~~ (ii) driver's license, instruction permit,

1 or identification card of ((a)) another state or a province of Canada;  
2 ((+e)) (iii) driver's license, driver's instruction permit, or  
3 ((+))identocard((+)) issued by the Washington state department of  
4 licensing under chapter 46.20 RCW; ((+d)) (iv) United States military  
5 identification; ((+e)) (v) passport; ((+f)) (vi) enrollment card,  
6 issued by the governing authority of a federally recognized Indian  
7 tribe located in Washington, that incorporates security features  
8 comparable to those implemented by the department of licensing for  
9 Washington drivers' licenses. At least ninety days prior to  
10 implementation of an enrollment card under this subsection, the  
11 appropriate tribal authority shall give notice to the board. The board  
12 shall publish and communicate to licensees regarding the implementation  
13 of each new enrollment card; or ((+g)) (vii) merchant marine  
14 identification card issued by the United States coast guard.

15 (b) If a person presents a driver's license, driver's instruction  
16 permit, or identicard issued by the Washington state department of  
17 licensing under chapter 46.20 RCW, the text on the driver's license,  
18 instruction permit, or identicard must be printed in yellow or green  
19 ink, pursuant to RCW 46.20.105 and 46.20.117, indicating that the  
20 purchaser is eighteen years of age or older.

21 (2) It is a defense to a prosecution under RCW 26.28.080 that the  
22 person making a sale reasonably relied on any of the officially issued  
23 identification as defined in subsection (1) of this section. The  
24 liquor control board shall waive the suspension or revocation of a  
25 license if the licensee clearly establishes that he or she acted in  
26 good faith to prevent violations and a violation occurred despite the  
27 licensee's exercise of due diligence.

28 **Sec. 4.** RCW 66.20.180 and 2005 c 151 s 9 are each amended to read  
29 as follows:

30 (1) A card of identification shall be presented by the holder  
31 thereof upon request of any licensee, store employee, contract liquor  
32 store manager, contract liquor store employee, peace officer, or  
33 enforcement officer of the board for the purpose of aiding the  
34 licensee, store employee, contract liquor store manager, contract  
35 liquor store employee, peace officer, or enforcement officer of the  
36 board to determine whether or not such person is of legal age to

1 purchase liquor when such person desires to procure liquor from a  
2 licensed establishment or state liquor store or contract liquor store.

3 (2) If a person presents a driver's license, driver's instruction  
4 permit, or identicard issued by the Washington state department of  
5 licensing under chapter 46.20 RCW, the text on the driver's license,  
6 instruction permit, or identicard must be printed in green ink,  
7 pursuant to RCW 46.20.105 and 46.20.117, indicating that the purchaser  
8 is twenty-one years of age or older.

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