
HOUSE BILL 2420

State of Washington

57th Legislature

2002 Regular Session

By Representatives Morell, Lovick, Benson, Boldt, Cox, Armstrong, Esser, Anderson, Schmidt and Haigh

Read first time 01/16/2002. Referred to Committee on Select Committee on Community Security.

1 AN ACT Relating to improving the security of Washington state
2 driver's licenses by verifying the citizenship or legal residence of
3 applicants for driver's licenses in Washington and verifying the Social
4 Security numbers of applicants for driver's licenses in Washington;
5 amending RCW 46.20.091; adding new sections to chapter 46.20 RCW; and
6 creating new sections.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that Washington
9 state's statutes governing the issuance of driver's licenses are
10 subject to fraud by individuals who seek to obtain a driver's license
11 or identity card using a false identity. In order to prevent criminals
12 and terrorists from obtaining a Washington driver's license using a
13 false identity, the legislature has determined that, in addition to the
14 current proof of identity required by statute, applicants for a
15 Washington driver's license should demonstrate that the applicant's
16 presence in the United States is authorized under federal law, either
17 by demonstrating United States citizenship or by showing legal
18 immigration status. The legislature further finds that the department
19 should be explicitly authorized to verify Social Security numbers of

1 applicants for a Washington state driver's license, and that current
2 Washington statutes could be interpreted as forbidding the department
3 from verifying Social Security numbers with the federal government.

4 NEW SECTION. **Sec. 2.** This act may be known and cited as the
5 Driver's License Security Act of 2002.

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

8 (1) Notwithstanding any other provision of law, and in addition to
9 the proof of identity required by RCW 46.20.035, the department shall
10 require every applicant for an original driver's license or
11 identification card to submit satisfactory proof that the applicant's
12 presence in the United States is authorized under federal law.

13 (2) The department shall not issue an original driver's license or
14 identification card to a person who does not submit satisfactory proof
15 that the applicant's presence in the United States is authorized under
16 federal law.

17 (3) The department shall adopt rules specifying procedures for
18 verifying that the applicant's presence in the United States is
19 authorized under federal law, including appropriate documentation of
20 that status.

21 (4) On November 1, 2003, and on November 1st of each subsequent
22 year, the department shall submit a report to the governor and the
23 legislature detailing the costs of verifying the citizenship or legal
24 residency of applicants for driver's licenses and identification cards,
25 in order for the state to request reimbursement from the federal
26 government.

27 (5) The inability to obtain a driver's license under this section
28 does not abrogate or diminish in any respect the legal requirement of
29 every driver in this state to obey the motor vehicle laws of this
30 state, including laws with respect to licensing, motor vehicle
31 registration, and financial responsibility.

32 **Sec. 4.** RCW 46.20.091 and 2000 c 115 s 4 are each amended to read
33 as follows:

34 (1) **Application.** In order to apply for a driver's license or
35 instruction permit the applicant must provide his or her:

1 (a) Name of record, as established by documentation required under
2 RCW 46.20.035;

3 (b) Date of birth, as established by satisfactory evidence of age;

4 (c) Sex;

5 (d) Washington residence address;

6 (e) Description;

7 (f) Driving licensing history, including:

8 (i) Whether the applicant has ever been licensed as a driver or
9 chauffeur and, if so, (A) when and by what state or country; (B)
10 whether the license has ever been suspended or revoked; and (C) the
11 date of and reason for the suspension or revocation; or

12 (ii) Whether the applicant's application to another state or
13 country for a driver's license has ever been refused and, if so, the
14 date of and reason for the refusal; ((and))

15 (g) Social Security number; and

16 (h) Any additional information required by the department.

17 (2) **Sworn statement.** An application for an instruction permit or
18 for an original driver's license must be made upon a form provided by
19 the department. The form must include a section for the applicant to
20 indicate whether he or she has received driver training and, if so,
21 where. The identifying documentation verifying the name of record must
22 be accompanied by the applicant's written statement that it is valid.
23 The information provided on the form must be sworn to and signed by the
24 applicant before a person authorized to administer oaths. An applicant
25 who makes a false statement on an application for a driver's license or
26 instruction permit is guilty of false swearing, a gross misdemeanor,
27 under RCW 9A.72.040.

28 (3) **Driving records from other jurisdictions.** If a person
29 previously licensed in another jurisdiction applies for a Washington
30 driver's license, the department shall request a copy of the
31 applicant's driver's record from the other jurisdiction. The driving
32 record from the other jurisdiction becomes a part of the driver's
33 record in this state.

34 (4) **Driving records to other jurisdictions.** If another
35 jurisdiction requests a copy of a person's Washington driver's record,
36 the department shall provide a copy of the record. The department
37 shall forward the record without charge if the other jurisdiction
38 extends the same privilege to the state of Washington. Otherwise the
39 department shall charge a reasonable fee for transmittal of the record.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.20 RCW
2 to read as follows:

3 The department shall verify the Social Security number of an
4 applicant for a Washington state driver's license or identicard with
5 the federal Social Security Administration. This section constitutes
6 a required disclosure of Social Security numbers under RCW 26.23.150.

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