
HOUSE BILL 1459

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Hope, Hurst, Armstrong, Klippert, Anderson, Hargrove, Dammeier, Kristiansen, Harris, and McCune

Read first time 01/21/11. Referred to Committee on Transportation.

1 AN ACT Relating to requiring an applicant for a driver's license or
2 identicard to produce a valid social security number or other
3 documentation that the applicant is lawfully within the United States;
4 amending RCW 46.20.035; and adding a new section to chapter 46.20 RCW.

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

6 **Sec. 1.** RCW 46.20.035 and 2008 c 267 s 8 are each amended to read
7 as follows:

8 The department may not issue an identicard or a Washington state
9 driver's license that is valid for identification purposes unless the
10 applicant meets the identification requirements of subsection (1), (2),
11 or (3) of this section and the identification requirements of
12 subsection (4) of this section.

13 (1) A driver's license or identicard applicant must provide the
14 department with at least one of the following pieces of valid
15 identifying documentation that contains the signature and a photograph
16 of the applicant:

17 (a) A valid or recently expired driver's license or instruction
18 permit that includes the date of birth of the applicant;

1 (b) A Washington state identicard or an identification card issued
2 by another state;

3 (c) An identification card issued by the United States, a state, or
4 an agency of either the United States or a state, of a kind commonly
5 used to identify the members or employees of the government agency;

6 (d) A military identification card;

7 (e) A United States passport; or

8 (f) (~~An immigration and naturalization~~) A citizenship and
9 immigration services form.

10 (2) An applicant who is a minor may establish identity by providing
11 an affidavit of the applicant's parent or guardian. The parent or
12 guardian must accompany the minor and display or provide:

13 (a) At least one piece of documentation in subsection (1) of this
14 section establishing the identity of the parent or guardian; and

15 (b) Additional documentation establishing the relationship between
16 the parent or guardian and the applicant.

17 (3) A person unable to provide identifying documentation as
18 specified in subsection (1) or (2) of this section may request that the
19 department review other available documentation in order to ascertain
20 identity. The department may waive the requirement if it finds that
21 other documentation clearly establishes the identity of the applicant.
22 Notwithstanding the requirements in subsection (2) of this section, the
23 department shall issue an identicard to an applicant for whom it
24 receives documentation pursuant to RCW 74.13.283.

25 (4) An applicant for a driver's license or identicard must provide
26 the department with a valid social security number or other valid
27 documentation that the applicant is a United States citizen or is
28 otherwise lawfully within the United States.

29 (5) An identicard or a driver's license that includes a photograph
30 that has been renewed by mail or by electronic commerce is valid for
31 identification purposes if the applicant met the identification
32 requirements of subsection (1), (2), or (3) of this section at the time
33 of previous issuance.

34 (~~(+5)~~) (6) The form of an applicant's name, as established under
35 this section, is the person's name of record for the purposes of this
36 chapter.

37 (~~(+6)~~) (7) If the applicant is unable to prove his or her identity

1 under this section or provide the documentation required under
2 subsection (4) of this section, the department shall plainly label the
3 driver's license or identicard "not valid for identification purposes."

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

6 The department must adopt rules to establish procedures for: (1)
7 Verifying that an applicant for a driver's license or identicard has a
8 valid social security number or other valid documentation that the
9 applicant is a United States citizen or is otherwise lawfully within
10 the United States; and (2) appeals hearings from denials and
11 cancellations of drivers' licenses or identicards based on the
12 requirement that a licensee or identicard holder possess a valid social
13 security number, be a United States citizen, or otherwise be lawfully
14 within the United States.

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