

WSR 21-02-030

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed December 28, 2020, 5:39 p.m., effective January 28, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is filing to adopt an amendment to WAC 308-104-014 which will update the department's policy and procedure for processing applications for driver licenses, identification cards and instruction permits. The amendment will end the department's collection of an applicant's maiden name. There is no longer a need to collect this information and it is not needed to establish a person's identity. Also see Governor's Executive Order 17-01.

Citation of Rules Affected by this Order: Amending WAC 308-104-014 Application for driver's license or identicard.

Statutory Authority for Adoption: RCW 46.01.110 and 46.20.119.

Adopted under notice filed as WSR 20-23-090 on November 17, 2020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: December 28, 2020.

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OTS-2702.1

AMENDATORY SECTION (Amending WSR 18-10-030, filed 4/25/18, effective 5/19/18)

WAC 308-104-014 Application for driver's license or identicard.

A person applying for a driver's license, instruction permit, or identification card must provide the following information:

(1)(a) The person's full name, current mailing and Washington residential address, and telephone number;

(b) A person applying for an identicard who does not have a permanent primary resident address may be issued an identicard at the cost of production if the person:

(i) Is under the age of eighteen;

(ii) Applies in person;

(iii) Attests to a lack of permanent primary resident address at each application; and

(iv) Provides a temporary mailing address where the identicard can be mailed.

(2) The person's physical description, including sex, height, weight, and eye color;

(3) The person's date of birth;

(4) (a) The person's Social Security number, if the Social Security number is required by state or federal law. If the person's Social Security number is not required by state or federal law, the person may voluntarily provide his or her Social Security number in order to assist the department in verifying identity;

(b) If the Social Security number is required by state or federal law and the person has not been issued a Social Security number, the person must submit a sworn affidavit, under penalty of perjury, stating that he or she does not have a Social Security number. The department may require that a person who is applying for a license and who has signed an affidavit under this subsection provide additional documentation satisfactory to the department establishing the person's Washington residence address;

(5) (~~The person's mother's maiden name and~~) Whether the person is one of multiple siblings born at the same time;

(6) If the application is for a driver's license or instruction permit, whether the person has been previously licensed, where such license was issued, and under what name;

(7) If the application is for a driver's license or instruction permit, whether the person has ever had his or her driver's license or driving privilege suspended, revoked, canceled, disqualified, withheld, or denied, and if so, where and when such driving sanction was imposed and the reason for such action;

(8) If the application is for a driver's license or instruction permit, whether the person has had a mental or physical condition or is taking any medication which could impair his or her ability to operate a motor vehicle;

(9) If the application is for a driver's license and the person is under the age of eighteen, a declaration by the person's parent, guardian, or employer that he or she has read and understands the intermediate license restrictions, and a declaration by the person that he or she has read and understands the intermediate license restrictions;

(10) The person's signature and, if the application is for a driver's license or instruction permit and the person is under the age of eighteen, the signature of the person's custodial parent or legal guardian; and

(11) Any supplementary documentation as may be necessary to verify any of the information required by this section.

[Statutory Authority: RCW 46.01.110, 46.20.119, and Executive Order 17-01. WSR 18-10-030, § 308-104-014, filed 4/25/18, effective 5/19/18. Statutory Authority: RCW 46.20.117. WSR 17-23-184, § 308-104-014, filed 11/22/17, effective 12/23/17. Statutory Authority: RCW 46.01.110, 46.20.091, 46.20.119. WSR 11-14-067, § 308-104-014, filed 6/30/11, effective 7/31/11. Statutory Authority: RCW 46.61.110, 46.20.041, 46.20.091, 46.20.120, and 46.20.130. WSR 09-16-012, § 308-104-014, filed 7/23/09, effective 8/23/09. Statutory Authority: RCW 46.20.091 (1)(g) and 46.01.110. WSR 05-15-064, § 308-104-014, filed 7/12/05, effective 8/12/05. Statutory Authority: RCW 46.01.110. WSR 00-18-070, § 308-104-014, filed 9/1/00, effective 10/2/00; WSR 91-01-063, § 308-104-014, filed 12/14/90, effective 1/14/91.]