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**HOUSE BILL 2219**

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**State of Washington 65th Legislature 2017 2nd Special Session**

**By** Representatives Ryu and Orwall

AN ACT Relating to modifying the issuance fees for drivers' licenses and identicards; and amending RCW 46.20.117, 46.20.161, 46.20.181, and 46.20.202.

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

**Sec.**  RCW 46.20.117 and 2017 c 122 s 2 are each amended to read as follows:

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

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

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

(c) Pays the required fee. Except as provided in subsection (5) of this section, the issuance fee is fifty-four dollars, unless an applicant is: (i) A recipient of continuing public assistance grants under Title 74 RCW, who is referred in writing by the secretary of social and health services; or (ii) under the age of eighteen and does not have a permanent residence address as determined by the department by rule. For those persons, the issuance fee must be the actual cost of production of the identicard.

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

(i) Be distinctly designed so that it will not be confused with the official driver's license; and

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

(b) The identicard may include the person's status as a veteran, consistent with RCW 46.20.161((~~(2)~~)) (3).

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

(a) Personal appearance before the department; or

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

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

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

(5) **Alternative issuance/renewal/extension**. The department may issue or renew an identicard for a period other than six years, or may extend by mail or electronic commerce an identicard that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of identicard holders. The issuance fee for an identicard issued or renewed for a period other than six years, or that has been extended by mail or electronic commerce, is nine dollars for each year that the identicard is issued, renewed, or extended. The department may adopt any rules as are necessary to carry out this subsection.

(6) The issuance fees in this section are not applicable to an enhanced identicard issued under RCW 46.20.202.

**Sec.**  RCW 46.20.161 and 2014 c 185 s 1 are each amended to read as follows:

(1) The department, upon receipt of ((~~a~~)) an issuance fee of ((~~forty-five dollars from October 1, 2012, to June 30, 2013, and~~)) fifty-four dollars ((~~after June 30, 2013~~)), unless the driver's license is issued for a period other than ((~~five years from October 1, 2012, to June 30, 2013, or~~)) six years ((~~after June 30, 2013~~)), in which case the issuance fee shall be nine dollars for each year that the license is issued, which includes the fee for the required photograph, shall issue to every qualifying applicant a driver's license. A driver's license issued to a person under the age of eighteen is an intermediate license, subject to the restrictions imposed under RCW 46.20.075, until the person reaches the age of eighteen. The license must include a distinguishing number assigned to the licensee, the name of record, date of birth, Washington residence address, photograph, a brief description of the licensee, either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with pen and ink immediately upon receipt of the license, and, if applicable, the person's status as a veteran as provided in subsection ((~~(2)~~)) (3) of this section. No license is valid until it has been so signed by the licensee.

(2) The issuance fees in this section are not applicable to an enhanced driver's license issued under RCW 46.20.202.

(3) A person may apply to the department to obtain a veteran designation on a driver's license issued under this section by providing the United States department of defense discharge document, DD Form 214, as it exists on August 30, 2017, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States.

**Sec.**  RCW 46.20.181 and 2012 c 80 s 9 are each amended to read as follows:

(1) Except as provided in subsection (4) or (5) of this section, every driver's license expires on the sixth anniversary of the licensee's birthdate following the issuance of the license.

(2) A person may renew his or her license on or before the expiration date by submitting an application as prescribed by the department and paying ((~~a~~)) an issuance fee of ((~~forty-five dollars from October 1, 2012, to June 30, 2013, and~~)) fifty-four dollars ((~~after June 30, 2013~~)). This fee includes the fee for the required photograph. The issuance fees in this subsection are not applicable to an enhanced driver's license issued under RCW 46.20.202.

(3) A person renewing his or her driver's license more than sixty days after the license has expired shall pay a penalty fee of ten dollars in addition to the issuance renewal fee, unless his or her license expired when:

(a) The person was outside the state and he or she renews the license within sixty days after returning to this state; or

(b) The person was incapacitated and he or she renews the license within sixty days after the termination of the incapacity.

(4) The department may issue or renew a driver's license for a period other than ((~~five years from October 1, 2012, to June 30, 2013, or~~)) six years ((~~after June 30, 2013,~~)) or may extend by mail or electronic commerce a license that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of licensed drivers. The issuance fee for a driver's license issued or renewed for a period other than ((~~five years from October 1, 2012, to June 30, 2013, or~~)) six years ((~~after June 30, 2013~~)), or that has been extended by mail or electronic commerce, is nine dollars for each year that the license is issued, renewed, or extended. The issuance fees in this subsection are not applicable to an enhanced driver's license issued under RCW 46.20.202. The department may adopt any rules as are necessary to carry out this subsection.

(5) A driver's license that includes a hazardous materials endorsement under chapter 46.25 RCW may expire on an anniversary of the licensee's birthdate other than the sixth year following issuance or renewal of the license in order to match, as nearly as possible, the validity of certification from the federal transportation security administration that the licensee has been determined not to pose a security risk. The issuance fee for a driver's license issued or renewed for a period other than ((~~five years from October 1, 2012, to June 30, 2013, or~~)) six years ((~~after June 30, 2013,~~)) is nine dollars for each year that the license is issued or renewed, not including any endorsement fees. The department may adjust the expiration date of a driver's license that has previously been issued to conform to the provisions of this subsection if a hazardous materials endorsement is added to the license subsequent to its issuance. If the validity of the driver's license is extended, the licensee must pay ((~~a~~)) an issuance fee of nine dollars for each year that the license is extended. The issuance fees in this subsection are not applicable to an enhanced driver's license issued under RCW 46.20.202.

(6) The department may adopt any rules as are necessary to carry out this section.

**Sec.**  RCW 46.20.202 and 2017 c 310 s 3 are each amended to read as follows:

(1) The department may enter into a memorandum of understanding with any federal agency for the purposes of facilitating the crossing of the border between the state of Washington and the Canadian province of British Columbia.

(2) The department may enter into an agreement with the Canadian province of British Columbia for the purposes of implementing a border-crossing initiative.

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or identicard. An applicant for an enhanced driver's license or identicard shall submit a biometric identifier as designated by the department. The biometric identifier must be used solely for the purpose of verifying the identity of the holders and for any purpose set out in RCW 46.20.037. Applicants are required to sign a declaration acknowledging their understanding of the one-to-many biometric match.

(c) The enhanced driver's license or identicard must include reasonable security measures to protect the privacy of Washington state residents, including reasonable safeguards to protect against unauthorized disclosure of data about Washington state residents. If the enhanced driver's license or identicard includes a radio frequency identification chip, or similar technology, the department shall ensure that the technology is encrypted or otherwise secure from unauthorized data access.

(d) The requirements of this subsection are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department shall adopt such rules as necessary to meet the requirements of this subsection. From time to time the department shall review technological innovations related to the security of identity cards and amend the rules related to enhanced driver's licenses and identicards as the director deems consistent with this section and appropriate to protect the privacy of Washington state residents.

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

(4) ((~~Beginning on the effective date of this section,~~)) The issuance fee for an enhanced driver's license or enhanced identicard is ((~~twenty-four dollars, which is in addition to the fees for any regular driver's license or identicard~~)) twice the standard driver's license or standard identicard issuance fee amount, as specified in RCW 46.20.161 and 46.20.117. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the issuance fee for each class is ((~~four dollars~~)) twice the standard driver's license or standard identicard issuance fee amount, as specified in RCW 46.20.161 and 46.20.117, for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

(5) The enhanced driver's license and enhanced identicard fee under this section must be deposited into the highway safety fund unless prior to July 1, 2023, the actions described in (a) or (b) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in section 209, chapter 44, Laws of 2015 3rd sp. sess. must be distributed to the connecting Washington account created under RCW 46.68.395.

(a) Any state agency files a notice of rule making under chapter 34.05 RCW for a rule regarding a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(b) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(c) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

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