

HOUSE BILL REPORT

SHB 1207

As Passed Legislature

Title: An act relating to improving access to department of licensing issued documents by extending the issuance period of driver licenses and identicards to eight years, allowing online issuance and renewal of instruction permits, and expanding online renewal of driver licenses and identicards.

Brief Description: Improving access to department of licensing issued documents by extending the issuance period of driver licenses and identicards to eight years, allowing online issuance and renewal of instruction permits, and expanding online renewal of driver licenses and identicards.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Ramel, Boehnke, Lekanoff, Lovick, Ortiz-Self, Eslick, Bergquist and Leavitt; by request of Department of Licensing).

Brief History:

Committee Activity:

Transportation: 1/26/21, 2/19/21 [DPS].

Floor Activity:

Passed House: 3/3/21, 81-16.

Senate Amended.

Passed Senate: 4/6/21, 49-0.

House Concurred.

Passed House: 4/13/21, 90-8.

Passed Legislature.

Brief Summary of Substitute Bill

- Extends the renewal cycle for standard and enhanced driver's licenses, standard and enhanced identicards, commercial driver's licenses, and motorcycle endorsements from six years to eight years and adjusts the associated fees to reflect the new terms while retaining an option for a

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six-year renewal term.

- Allows online issuance and renewal of non-photo driver's instruction permits.
- Requires remote photo capture at driver's license and identicard online renewal beginning January 2023.
- Allows that driver's licenses and identicards can be renewed online any time through July 2024.
- Specifies that photos must be updated at least every 16 years for persons over 30; and every eight years for persons under 30.
- Requires the Department of Licensing to complete a study of the impacts to employment, backlog reduction, access to services, and other topics and report by December 2023.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Berry, Chapman, Dent, Duerr, Entenman, Goehner, Hackney, Klicker, Lovick, Orcutt, Paul, Ramel, Riccelli, Slatter, Taylor, Valdez and Wicks.

Minority Report: Without recommendation. Signed by 6 members: Representatives Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Griffey, McCaslin, Sutherland and Walsh.

Staff: Christine Thomas (786-7142).

Background:

Driver's Licenses, Identicards, Endorsements, and Driver's Instruction Permits.

The Department of Licensing (DOL) is authorized to issue several instruments, such as driver's licenses (standard, enhanced, and commercial), identicards, driver's instruction permits, and motorcycle endorsements, that are related to driving vehicles and providing official identification of individuals. The fees and documentation required for application of the identifying and authorizing instruments vary, but the instruments are generally valid for up to six years for qualifying applicants. Driver's instruction permits are valid for up to one year. During in-person visits, the DOL takes photos of applicants for licenses and some identicards.

Applications for a new license or instruction permit must be signed before an agent

authorized to administer oaths, meaning that an in-person visit to a DOL office is required. Renewals for driver's licenses and identicards can be made in person, but they may also be made online, if the last renewal was not made online. A renewal for an instruction permit must be made in person, and a renewal for an identicard without a photo must also be made in person.

Emergency Executive Orders in Response to COVID-19 Safety Measures.

As a result of the COVID-19 pandemic, the DOL driver licensing offices were closed for several months for all non-commercial driver licensing services starting at the end of March 2020. The DOL began reopening driver licensing offices in June 2020 and are open by appointment only with every other counter closed to allow for social distancing. Appointments are available for scheduling 30 days in advance.

In response to the DOL's limited capacity for in-person services, the Governor issued Proclamation 20.41.6 allowing the DOL to issue non-photo instruction permits online, renew driver's instruction permits online, and provide expanded online renewals for driver's licenses and identicards. These are temporary measures.

Summary of Substitute Bill:

Driver's licenses, commercial driver's licenses, identicards, and motorcycle endorsements are valid for eight years, though the DOL must offer the option to issue or renew driver's licenses and identicards for six years. The following fees are adjusted to reflect the new renewal terms, though per-year costs remain unchanged:

Category	Per-year cost	Current fee for 6-year renewal cycle	Fee for 8-year renewal cycle
Standard driver's license/identicard	\$9	\$54	\$72
Enhanced driver's license (EDL)/enhanced identicard (EID)	\$13	\$78	\$104
Motorcycle endorsement	\$14	\$84	\$112
Commercial driver license (CDL)	\$26	\$156	\$208

Online renewals of driver's licenses and identicards are not restricted to every other renewal cycle for the period starting January 2022 until July 2024. Non-photo driver's instruction permit renewals may be made online. Photographs for renewed driver's licenses and identicards need be updated only every 16 years for persons over 30. Persons under 30 must update their photos every eight years. Beginning January 2023, persons making online renewals must provide an updated photograph in a form and manner that meets the

DOL's requirements for remote photo capture. The DOL may make an exception for updating the photograph if the person making the online renewal is unable to provide an updated photograph and the photograph on file with the DOL is not more than 10 years old at the time of renewal. A sworn statement must be signed by an applicant before someone authorized to administer oaths only for original driver's license issuances.

The DOL must evaluate the impact of expanded online renewals and remote photo capture on backlog reduction, access to services, employment public safety, identity fraud, and other related topics in consultation with relevant stakeholders and industry experts. The DOL must submit a report to the Governor and the transportation committees of the Legislature by December 1, 2023.

Other technical changes and statutory reference updates were made to reflect the creation of a state agency and replace gender-related terms with generic references to licensees, applicants, or similar terms.

Appropriation: None.

Fiscal Note: Available.

Effective Date: This bill takes effect January 1, 2022, except for sections 1, 3, and 4, relating to the intent section and non-photo driver's instruction permits and in-person sworn oaths, which take effect immediately.

Staff Summary of Public Testimony:

(In support) The scale of the backlog as a consequence of closing the licensing service offices (LSOs) and reopening at 35 percent capacity because of COVID-19 means that clearing the backlog will take more than a year. This bill can help address the problem while making improvements and expanding access to licensing services that will last. People can avoid hours of driving to LSOs, especially those who live in remote areas and with mobility challenges. Eight-year renewal terms are common nationally as that is the term in 20 states. Updates for photos every 16 years is compliant with the national REAL-ID Act. The DOL has adequate security through its facial recognition capabilities to conduct remote photo capture that must meet state and federal photo standards.

(Opposed) Members of law enforcement rely on the DOL's data to help identify individuals. Currently, six-year-old data is already outdated and having eight-year-old data would make it tougher to ensure up-to-date information on detained individuals. Remote capture of photos brings security concerns. Licensing Service Representatives (LSRs) provide vital services for a face-to-face experience with the DOL. Providing access to services in an online environment may reduce staffing levels by removing these services from the LSOs. It is important for the LSRs to have in-person interaction with driver's license applicants to ask questions, see them walk, and check vision to ensure it is safe for

the applicants to drive. Extending the issuance and renewal term may create a financial hardship for members of the community. The public safety issues created by extending the renewal period and providing online renewal access need to be addressed. The DOL has worked creatively to get through the backlog and should identify more creative ways to address the backlog issue without creating security risks.

(Other) The DOL is appreciated for what it has done to support the trucking industry. The proposal is a new paradigm and some older drivers may not want eight-year commercial driver's licenses. The renewal term does not align with the federal hazardous materials endorsement.

Persons Testifying: (In support) Representative Ramel, prime sponsor; and Beau Perschbacher, Department of Licensing.

(Opposed) James McMahan, Washington Association of Sheriffs and Police Chiefs; and Karen Estevenin, Alexis Young, and Marian Harris Jones, PROTEC17.

(Other) Jeff DeVere, Washington Trucking Associations.

Persons Signed In To Testify But Not Testifying: None.