

RCW 29A.08.359 Automatic registration—Enhanced driver's licenses and identicards—Procedure—Auditor duties—Confidentiality. (Effective until July 15, 2024.) (1) (a) For persons age eighteen years and older registering under RCW 29A.08.355(1), an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the original date of issuance or renewal or date of change of address of an enhanced driver's license or identicard issued under RCW 46.20.202 or change of address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205.

(b) For persons sixteen or seventeen years of age registering under RCW 29A.08.355(2), an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the date set forth in RCW 29A.08.110(1).

(c) The information must be transmitted in an expedited manner and must be received by an election official by the required voter registration deadline. The auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list. Any mailing address provided shall be used only for mail delivery purposes, and not for precinct assignment or residency purposes. Within sixty days after the receipt of an application or transfer, the auditor shall send to the applicant, by first-class nonforwardable mail, an acknowledgment notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The United States postal service shall be instructed not to forward a voter registration card to any other address and to return to the auditor any card which is not deliverable.

(d) An auditor may use other means to communicate with potential and registered voters such as, but not limited to, email, phone, or text messaging. The alternate form of communication must not be in lieu of the first-class mail requirements. The auditor shall act in compliance with all voter notification processes established in federal law.

(2) If an application is not complete, the auditor shall promptly mail a verification notice to the applicant. The verification notice must require the applicant to provide the missing information. If the applicant provides the required information within forty-five days, the applicant must be registered to vote. The applicant must not be placed on the official list of registered voters until the application is complete.

(3) If the prospective registration applicant declines to register to vote or the information provided by the department of licensing does not indicate citizenship, the information must not be included on the list of registered voters.

(4) The department of licensing is prohibited from sharing data files used by the secretary of state to certify voters registered through the automated process outlined in RCW 29A.08.355 with any federal agency, or state agency other than the secretary of state. Personal information supplied for the purposes of obtaining a driver's license or identicard is exempt from public inspection pursuant to RCW 42.56.230. [2020 c 208 § 18; 2019 c 391 § 8; 2018 c 110 § 104.]

Effective date—2020 c 208 §§ 7, 8, 18, 20, and 21: See note following RCW 29A.08.355.

Short title—Findings—2020 c 208: See notes following RCW 29A.08.210.

Effective date—2018 c 110 §§ 101-107: See note following RCW 29A.08.355.

Short title—Findings—Intent—2018 c 110: See notes following RCW 29A.08.355.

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(b) For persons sixteen or seventeen years of age registering under RCW 29A.08.355(2), an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the date set forth in RCW 29A.08.110(1).

(c) The information must be transmitted daily to the secretary of state.

(i) If the information shows no name change or change of residence or mailing address for an existing voter registration, the auditor may choose to send the voter an acknowledgment notice.

(ii) If the information is an application for new registration or updates any element of an existing voter registration, the auditor shall update the voter's record and, if the information updates the voter's name, residence address, or mailing address, record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list and send an automatic voter registration acknowledgment notice package within five business days of the original application, or, if the information is received after the deadline to register to vote or update a voter registration under RCW 29A.08.140 (1)(a) or (2)(a)(i), within five business days after the election. Any mailing address provided shall be used only for mail delivery purposes, and not for precinct assignment or residency purposes.

(d) An auditor may use other means to communicate with potential and registered voters such as, but not limited to, email, phone, or text messaging. The alternate form of communication must not be in lieu of the mail requirements. The auditor shall act in compliance with all voter notification processes established in federal law.

(2) If an application is not complete, the auditor shall promptly mail a verification notice to the applicant. The verification notice

must require the applicant to provide the missing information. If the applicant provides the required information within forty-five days, the applicant must be registered to vote. The applicant must not be placed on the official list of registered voters until the application is complete.

(3) If the prospective registration applicant responds to the automatic voter registration acknowledgment notice and declines to register to vote or the information provided by the department of licensing does not indicate citizenship, the information must not be included on the list of registered voters.

(4) (a) For new registrants who decline registration in a reply that is received by the auditor within 15 days from the date of mailing of the automatic voter registration acknowledgment notice package, the voter registration record shall be removed from the list of registered voters, and the person is deemed to have never registered to vote.

(b) If the reply declining registration is received after the deadline, the auditor shall cancel the voter's registration.

(5) The department of licensing is prohibited from sharing data files used by the secretary of state to certify voters registered through the automated process outlined in RCW 29A.08.355 with any federal agency, or state agency other than the secretary of state. Personal information supplied for the purposes of obtaining a driver's license or identicard is exempt from public inspection pursuant to RCW 42.56.230. [2023 c 466 § 16; 2020 c 208 § 18; 2019 c 391 § 8; 2018 c 110 § 104.]

Effective date—2023 c 466 §§ 3, 4, 6, 11, 13-16, and 20-23: See note following RCW 29A.08.030.

Effective date—2020 c 208 §§ 7, 8, 18, 20, and 21: See note following RCW 29A.08.355.

Short title—Findings—2020 c 208: See notes following RCW 29A.08.210.

Effective date—2018 c 110 §§ 101-107: See note following RCW 29A.08.355.

Short title—Findings—Intent—2018 c 110: See notes following RCW 29A.08.355.