

WSR 22-11-003

EMERGENCY RULES

DEPARTMENT OF LICENSING

[Filed May 5, 2022, 9:57 a.m., effective June 1, 2022]

Effective Date of Rule: June 1, 2022.

Purpose: The department is amending WAC 308-104-019 by striking subsection (1)(c), to remove the requirement that persons over 70 must renew their driver licenses in person. This ensures the department can continue providing online renewals to these individuals, which is currently authorized by Proclamation 20-15.

Citation of Rules Affected by this Order: Amending WAC 308-104-019.

Statutory Authority for Adoption: RCW 46.01.110 Rule-making authority.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: According to the Centers for Disease Control and Prevention, older adults are more likely to get very sick or die from COVID-19. Continuing to allow older adults to renew online may reduce the number of severe cases and deaths from COVID-19 in Washington state.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 5, 2022.

Ellis Starrett  
Rules and Policy Manager

**OTS-3628.1**

AMENDATORY SECTION (Amending WSR 21-10-059, filed 4/30/21, effective 5/31/21)

**WAC 308-104-019 Renewal of driver's license or identicard by electronic commerce—Eligibility.** An applicant for a driver's license renewal or identicard renewal may apply by electronic commerce if permitted under this section.

- (1) A person whose valid driver's license is about to expire may be allowed to renew by electronic commerce if the person:
- (a) Is eligible to renew his or her driver's license by electronic commerce under the provisions of RCW 46.20.120 (3)(b) or (4)(b);
  - (b) Has previously been issued a digital driver's license;
  - (c) ~~((Is not more than seventy years of age;~~
  - ~~(d-))~~ Has a valid Social Security number on file with the department;
  - ~~((e-))~~ (d) Has a valid mailing address on his or her driving record as maintained by the department;
  - ~~((f-))~~ (e) Does not have a commercial driver's license, instruction permit, or agricultural permit;
  - ~~((g-))~~ (f) Has not paid a fee owed to the department with a check that has been dishonored;
  - ~~((h-))~~ (g) Has not failed to appear, respond, or comply with the terms of or in response to a traffic citation or notice of traffic infraction; and
  - ~~((i-))~~ (h) Does not have any actions pending against his or her driver's license or driving privileges.
- (2) A person applying for driver's license renewal by electronic commerce must:
- (a) Certify that he or she has had no mental or physical condition or is not taking any medication which could impair his or her ability to operate a motor vehicle safely;
  - (b) Make the necessary certification under WAC 308-104-010(2);
- and
- (c) Complete the required application and pay all applicable fees.
- (3) A person whose valid identicard is about to expire may renew by electronic commerce if the person:
- (a) Is eligible to renew his or her identicard by electronic commerce under the provisions of RCW 46.20.117 (3)(b); and
  - (b) Has previously been issued a digital identicard.
- (4) A person applying for identicard renewal by electronic commerce must complete the required application and pay all applicable fees.
- (5) The department may specify the means and establish procedures by which a person may make an application under this section.

[Statutory Authority: RCW 46.01.110 and 46.20.120. WSR 21-10-059, § 308-104-019, filed 4/30/21, effective 5/31/21; WSR 15-09-032, § 308-104-019, filed 4/9/15, effective 5/10/15. Statutory Authority: RCW 46.01.110, 46.20.117, and 46.20.120. WSR 10-15-019, § 308-104-019, filed 7/9/10, effective 8/9/10. Statutory Authority: RCW 46.61.110, 46.20.041, 46.20.091, 46.20.120, and 46.20.130. WSR 09-16-012, § 308-104-019, filed 7/23/09, effective 8/23/09. Statutory Authority: RCW 46.01.110 and 46.20.202. WSR 07-22-031, § 308-104-019, filed 10/29/07, effective 11/29/07. Statutory Authority: RCW 46.01.110. WSR 04-20-012, § 308-104-019, filed 9/24/04, effective 10/25/04.]