

1 **SHB 1843 -H AMD 0185 ADOPTED 3-14-03**
2 By Representative Schual-Berke

3 Strike everything after the enacting clause and insert the following:

4 " **Sec.1.** RCW 46.20.0921 and 1990 c 210 s 3 are each amended to read as
5 follows:

6 (1) It is a misdemeanor for any person:

7 ((1) ~~a~~) To display or cause or permit to be displayed or have in his or her
8 possession

9 any fictitious or fraudulently altered driver license or identicard;

10 ((2) ~~b~~) To lend his or her driver license or identicard to any other person or
11 knowingly permit the use thereof by another;

12 ((3) ~~c~~) To display or represent as one's own any driver license or identicard
13 not
14 issued to him or her;

15 ((4) ~~d~~) Willfully fail to refuse to surrender to the department upon its lawful
16 demand any driver's license or identicard which has been suspended, revoked or
17 canceled;

18 ((5) ~~e~~) To use a false or fictitious name in any application for a driver license
19 or identicard or to knowingly make a false statement or to knowingly conceal a
20 material fact or otherwise commit a fraud in any such application;

21 ((6) ~~f~~) To permit any unlawful use of a driver license or identicard issued to
22 him or her.

23 (2) It is a class C felony for any person to sell or deliver a stolen driver license
24 or identicard.

25 (3) It is unlawful for any person to manufacture, sell or deliver a forged,
26 fictitious, counterfeit, fraudulently altered, or unlawfully issued driver's license or

1 ~~identical to manufacture, sell or deliver a blank driver's license or identical~~
2 ~~except under the direction of the department. A violation of this subsection is:~~

3 ~~(a) a class C felony committed (i) for financial gain or (ii) with intent to commit~~
4 ~~forgery, theft or identity theft or~~

5 ~~(b) a gross misdemeanor if the conduct does not violate subsection (3) (a) of this~~
6 ~~section.~~

7 ~~(4) Notwithstanding subsection (3) of this section, it is a misdemeanor for any~~
8 ~~person under the age of twenty-one to manufacture or deliver fewer than four forged,~~
9 ~~fictitious, counterfeit or fraudulently altered driver licenses or identical for the sole~~
10 ~~purpose of misrepresenting a person's age.~~

11 ~~(5) In a proceeding under subsection (2), (3) or (4) of this section that is related~~
12 ~~to an identity theft under RCW 9A.35.020, the crime will be considered to have been~~
13 ~~committed in any locality where the person whose means of identification or financial~~
14 ~~information was appropriated resides or in which any part of the offense took place,~~
15 ~~regardless of whether the defendant was ever actually in that locality.~~

EFFECT: 1) Makes the manufacture, sale or delivery of a forged, fictitious, counterfeit, fraudulently altered or unlawfully issued driver's license or identical a class C felony only if done with the intent of obtaining financial gain or with the intent to commit forgery, theft or identity theft. Absent such intent, the offense is classified as a gross misdemeanor. 2) For persons under twenty-one years of age, the offense of manufacturing or delivering fewer than four forged, fictitious, counterfeit or fraudulently altered driver licenses or identical is classified as a misdemeanor provided such manufacture or delivery is done for the sole purpose of enabling a person to misrepresent his or her age.