

SB 6680 - H AMD
By Representative

ADOPTED 03/02/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.20.037 and 2004 c 273 s 3 are each amended to read
4 as follows:

5 (1) No later than (~~January 1, 2006,~~) two years after full
6 implementation of the provisions of Title II of P.L. 109-13, improved
7 security for driver's licenses and personal identification cards (Real
8 ID), as passed by Congress May 10, 2005, the department shall implement
9 a voluntary biometric matching system for driver's licenses and
10 identicards. (~~The~~) A biometric matching system shall be used only to
11 verify the identity of an applicant for a renewal or duplicate driver's
12 license or identicard by matching a biometric identifier submitted by
13 the applicant against the biometric identifier submitted when the
14 license was last issued. This project requires a full review by the
15 information services board using the criteria for projects of the
16 highest visibility and risk.

17 (2) (~~The~~) Any biometric matching system selected by the
18 department shall be capable of highly accurate matching, and shall be
19 compliant with biometric standards established by the American
20 association of motor vehicle administrators.

21 (3) The biometric matching system selected by the department must
22 incorporate a process that allows the owner of a driver's license or
23 identicard to present a personal identification number or other code
24 along with the driver's license or identicard before the information
25 may be verified by a third party, including a governmental entity.

26 (4) Upon the establishment of a biometric driver's license and
27 identicard system as described in this section, the department shall
28 allow every person applying for an original, renewal, or duplicate
29 driver's license or identicard to voluntarily submit a biometric
30 identifier. Each applicant shall be informed of all ways in which the

1 biometric identifier may be used, all parties to whom the identifier
2 may be disclosed and the conditions of disclosure, the expected error
3 rates for the biometric matching system which shall be regularly
4 updated as the technology changes or empirical data is collected, and
5 the potential consequences of those errors. The department shall adopt
6 rules to allow applicants to verify the accuracy of the system at the
7 time that biometric information is submitted, including the use of at
8 least two separate devices.

9 (5) The department may not disclose biometric information to the
10 public or any governmental entity except when authorized by court
11 order.

12 (6) All biometric information shall be stored with appropriate
13 safeguards, including but not limited to encryption.

14 (7) The department shall develop procedures to handle instances in
15 which the biometric matching system fails to verify the identity of an
16 applicant for a renewal or duplicate driver's license or identicard.
17 These procedures shall allow an applicant to prove identity without
18 using a biometric identifier.

19 (8) Any person who has voluntarily submitted a biometric identifier
20 may choose to discontinue participation in the biometric matching
21 program at any time, provided that the department utilizes a secure
22 procedure to prevent fraudulent requests for a renewal or duplicate
23 driver's license or identicard. When the person discontinues
24 participation, any previously collected biometric information shall be
25 destroyed.

26 (9) (~~(If Engrossed Substitute Senate Bill No. 5428 or House Bill~~
27 ~~No. 1681 is enacted into law,~~) This section does not apply when an
28 applicant renews his or her driver's license or identicard by mail or
29 electronic commerce."

EFFECT: Retains the requirement that the Department of Licensing
incorporate a process into the biometric matching system it selects,
allowing the owner of a driver's license or identicard to present a
personal identification number or other code along with the card before
the information may be verified by a third party, including a
governmental entity. Also retains the requirement that the Department

of Licensing destroy any previously collected biometric information when the person who voluntarily submitted the information discontinues participation in the program.

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