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HOUSE BILL 2956

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State of Washington                      59th Legislature                      2006 Regular Session

By Representative Hunter; by request of Department of Licensing

Read first time 01/17/2006. Referred to Committee on Transportation.

1            AN ACT Relating to a biometric matching system for driver's  
2 licenses and identicards; and amending RCW 46.20.037.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

6            (1) (~~No later than January 1, 2006,~~) The department (~~shall~~) may  
7 implement a voluntary biometric matching system for driver's licenses  
8 and identicards. (~~The~~) A biometric matching system shall be used  
9 only to verify the identity of an applicant for a renewal or duplicate  
10 driver's license or identicard by matching a biometric identifier  
11 submitted by the applicant against the biometric identifier submitted  
12 when the license was last issued. This project requires a full review  
13 by the information services board using the criteria for projects of  
14 the highest visibility and risk.

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

1           (3) ~~((The biometric matching system selected by the department must~~  
2 ~~incorporate a process that allows the owner of a driver's license or~~  
3 ~~identocard to present a personal identification number or other code~~  
4 ~~along with the driver's license or identocard before the information~~  
5 ~~may be verified by a third party.~~

6           (4)) Upon the establishment of a biometric driver's license and  
7 identocard system as described in this section, the department shall  
8 allow every person applying for an original, renewal, or duplicate  
9 driver's license or identocard to voluntarily submit a biometric  
10 identifier. Each applicant shall be informed of all ways in which the  
11 biometric identifier may be used, all parties to whom the identifier  
12 may be disclosed and the conditions of disclosure, the expected error  
13 rates for the biometric matching system which shall be regularly  
14 updated as the technology changes or empirical data is collected, and  
15 the potential consequences of those errors. The department shall adopt  
16 rules to allow applicants to verify the accuracy of the system at the  
17 time that biometric information is submitted, including the use of at  
18 least two separate devices.

19           ((+5)) (4) The department may not disclose biometric information  
20 to the public or any governmental entity except when authorized by  
21 court order.

22           ((+6)) (5) All biometric information shall be stored with  
23 appropriate safeguards, including but not limited to encryption.

24           ((+7)) (6) The department shall develop procedures to handle  
25 instances in which the biometric matching system fails to verify the  
26 identity of an applicant for a renewal or duplicate driver's license or  
27 identocard. These procedures shall allow an applicant to prove identity  
28 without using a biometric identifier.

29           ((+8)) (7) Any person who has voluntarily submitted a biometric  
30 identifier may choose to discontinue participation in the biometric  
31 matching program at any time, provided that the department utilizes a  
32 secure procedure to prevent fraudulent requests for a renewal or  
33 duplicate driver's license or identocard. ~~((When the person~~  
34 ~~discontinues participation, any previously collected biometric~~  
35 ~~information shall be destroyed.~~

36           ~~(9) If Engrossed Substitute Senate Bill No. 5428 or House Bill No.~~  
37 ~~1681 is enacted into law,))~~ (8) This section does not apply when an

1 applicant renews his or her driver's license or identicard by mail or  
2 electronic commerce.

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