

CERTIFICATION OF ENROLLMENT

SENATE BILL 6680

Chapter 292, Laws of 2006

59th Legislature
2006 Regular Session

DRIVER'S LICENSES--BIOMETRIC MATCHING SYSTEM

EFFECTIVE DATE: 6/7/06

Passed by the Senate March 8, 2006
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 2, 2006
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6680** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 28, 2006.

FILED

March 28, 2006 - 3:15 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6680

AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senators Brandland, Haugen and Rasmussen

Read first time 01/18/2006. 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,))~~ two years after full
7 implementation of the provisions of Title II of P.L. 109-13, improved
8 security for driver's licenses and personal identification cards (Real
9 ID), as passed by Congress May 10, 2005, the department shall implement
10 a voluntary biometric matching system for driver's licenses and
11 identicards. ~~((The))~~ A biometric matching system shall be used only to
12 verify the identity of an applicant for a renewal or duplicate driver's
13 license or identicard by matching a biometric identifier submitted by
14 the applicant against the biometric identifier submitted when the
15 license was last issued. This project requires a full review by the
16 information services board using the criteria for projects of the
17 highest visibility and risk.

18 (2) ~~((The))~~ Any biometric matching system selected by the

1 department shall be capable of highly accurate matching, and shall be
2 compliant with biometric standards established by the American
3 association of motor vehicle administrators.

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

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

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

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

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

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

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

Passed by the Senate March 8, 2006.

Passed by the House March 2, 2006.

Approved by the Governor March 28, 2006.

Filed in Office of Secretary of State March 28, 2006.