
HOUSE BILL 2930

State of Washington 60th Legislature 2008 Regular Session

By Representatives Armstrong, Priest, Warnick, McCune, Hailey, Walsh, Kretz, Grant, Schindler, Newhouse, Anderson, Dunn, Ross, Blake, Condotta, Hankins, and Hurst

Read first time 01/18/08. Referred to Committee on Transportation.

1 AN ACT Relating to verification that applicants for drivers'
2 licenses and identicards are lawfully within the United States;
3 amending RCW 46.20.035; adding a new section to chapter 46.20 RCW; and
4 providing an effective date.

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

6 **Sec. 1.** RCW 46.20.035 and 2004 c 249 s 2 are each amended to read
7 as follows:

8 The department may not issue an identicard or a Washington state
9 driver's license that is valid for identification purposes unless the
10 applicant meets the identification requirements of subsection (1), (2),
11 or (3) of this section and the identification requirements of
12 subsection (4) of this section.

13 (1) A driver's license or identicard applicant must provide the
14 department with at least one of the following pieces of valid
15 identifying documentation that contains the signature and a photograph
16 of the applicant:

17 (a) A valid or recently expired driver's license or instruction
18 permit that includes the date of birth of the applicant;

1 (b) A Washington state identicard or an identification card issued
2 by another state;

3 (c) An identification card issued by the United States, a state, or
4 an agency of either the United States or a state, of a kind commonly
5 used to identify the members or employees of the government agency;

6 (d) A military identification card;

7 (e) A United States passport; or

8 (f) An Immigration and Naturalization Service form.

9 (2) An applicant who is a minor may establish identity by providing
10 an affidavit of the applicant's parent or guardian. The parent or
11 guardian must accompany the minor and display or provide:

12 (a) At least one piece of documentation in subsection (1) of this
13 section establishing the identity of the parent or guardian; and

14 (b) Additional documentation establishing the relationship between
15 the parent or guardian and the applicant.

16 (3) A person unable to provide identifying documentation as
17 specified in subsection (1) or (2) of this section may request that the
18 department review other available documentation in order to ascertain
19 identity. The department may waive the requirement if it finds that
20 other documentation clearly establishes the identity of the applicant.

21 (4) A driver's license or identicard applicant must provide the
22 department with documentation that the applicant is a United States
23 citizen or that the applicant's presence in the United States is
24 authorized under federal law.

25 (5) An identicard or a driver's license that includes a photograph
26 that has been renewed by mail or by electronic commerce is valid for
27 identification purposes if the applicant met the identification
28 requirements of subsection (1), (2), or (3) of this section at the time
29 of previous issuance.

30 ((+5+)) (6) The form of an applicant's name, as established under
31 this section, is the person's name of record for the purposes of this
32 chapter.

33 ((+6+)) (7) If the applicant is unable to prove his or her identity
34 under this section or provide the documentation required under
35 subsection (4) of this section, the department shall plainly label the
36 license "not valid for identification purposes."

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20 RCW
2 to read as follows:

3 The department may adopt rules to establish procedures for: (1)
4 Verifying that a driver's license or identicard applicant is a United
5 States citizen or that the applicant's presence in the United States is
6 authorized under federal law, including appropriate documentation of
7 that status; and (2) appeals hearings from denials and cancellations of
8 drivers' licenses or identicards based on the requirement that a
9 licensee or identicard holder be a United States citizen or be lawfully
10 within the United States.

11 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2009.

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