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HOUSE BILL 3063

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Roach, McCune, Takko, Haler, Jarrett, and Warnick

Read first time 01/21/08. Referred to Committee on Transportation.

1            AN ACT Relating to enhancing the security of driver licenses;  
2 amending RCW 46.20.035, 46.20.091, and 46.20.161; and declaring an  
3 emergency.

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

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

7            The department may not issue an identicard or a Washington state  
8 driver's license that is valid for identification purposes unless the  
9 applicant meets the identification requirements of subsection (1), (2),  
10 or (3) and (7) of this section.

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

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

17            (b) A Washington state identicard or an identification card issued  
18 by another state;

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

4 (d) A military identification card;

5 (e) A United States passport; or

6 (f) An Immigration and Naturalization Service form.

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

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

12 (b) Additional documentation establishing the relationship between  
13 the parent or guardian and the applicant.

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

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

26 (5) The form of an applicant's name, as established under this  
27 section, is the person's name of record for the purposes of this  
28 chapter.

29 (6) If the applicant is unable to prove his or her identity under  
30 this section, the department shall plainly label the license "not valid  
31 for identification purposes."

32 (7) An applicant must provide evidence of a valid principal  
33 Washington residence address with an original, notarized, or certified  
34 copy of any of the following:

35 (a) A utility bill;

36 (b) A bank statement;

37 (c) A paycheck;

38 (d) A government check; or

1 (e) Other government document with a valid Washington residence  
2 address.

3 The department must, to the extent possible, authenticate the  
4 address presented by the applicant.

5 (8) An applicant presenting a valid passport issued by a foreign  
6 government must contain a valid United States visa or other identifying  
7 mark indicating a legal presence within the United States.

8 (9) The department shall scan and electronically store all  
9 documents presented by an applicant for a driver's license or  
10 identocard. The department shall develop a security system to  
11 appropriately restrict access to stored documents.

12 **Sec. 2.** RCW 46.20.091 and 2000 c 115 s 4 are each amended to read  
13 as follows:

14 (1) **Application.** In order to apply for a driver's license or  
15 instruction permit the applicant must provide his or her:

16 (a) Name of record, as established by documentation required under  
17 RCW 46.20.035;

18 (b) Date of birth, as established by satisfactory evidence of age;

19 (c) Sex;

20 (d) Principal Washington residence address and proof of the address  
21 as required in RCW 46.20.035(7);

22 (e) Description;

23 (f) Driving licensing history, including:

24 (i) Whether the applicant has ever been licensed as a driver or  
25 chauffeur and, if so, (A) when and by what state or country; (B)  
26 whether the license has ever been suspended or revoked; and (C) the  
27 date of and reason for the suspension or revocation; or

28 (ii) Whether the applicant's application to another state or  
29 country for a driver's license has ever been refused and, if so, the  
30 date of and reason for the refusal; and

31 (g) Any additional information required by the department.

32 (2) **Sworn statement.** An application for an instruction permit or  
33 for an original driver's license must be made upon a form provided by  
34 the department. The form must include a section for the applicant to  
35 indicate whether he or she has received driver training and, if so,  
36 where. The identifying documentation verifying the name of record must  
37 be accompanied by the applicant's written statement that it is valid.

1 The information provided on the form must be sworn to and signed by the  
2 applicant before a person authorized to administer oaths. An applicant  
3 who makes a false statement on an application for a driver's license or  
4 instruction permit is guilty of false swearing, a gross misdemeanor,  
5 under RCW 9A.72.040.

6 (3) **Driving records from other jurisdictions.** If a person  
7 previously licensed in another jurisdiction applies for a Washington  
8 driver's license, the department shall request a copy of the  
9 applicant's driver's record from the other jurisdiction. The driving  
10 record from the other jurisdiction becomes a part of the driver's  
11 record in this state.

12 (4) **Driving records to other jurisdictions.** If another  
13 jurisdiction requests a copy of a person's Washington driver's record,  
14 the department shall provide a copy of the record. The department  
15 shall forward the record without charge if the other jurisdiction  
16 extends the same privilege to the state of Washington. Otherwise the  
17 department shall charge a reasonable fee for transmittal of the record.

18 **Sec. 3.** RCW 46.20.161 and 2000 c 115 s 6 are each amended to read  
19 as follows:

20 (1) The department, upon receipt of a fee of twenty-five dollars,  
21 unless the driver's license is issued for a period other than five  
22 years, in which case the fee shall be five dollars for each year that  
23 the license is issued, which includes the fee for the required  
24 photograph, shall issue to every qualifying applicant a driver's  
25 license. A driver's license issued to a person under the age of  
26 eighteen is an intermediate license, subject to the restrictions  
27 imposed under RCW 46.20.075, until the person reaches the age of  
28 eighteen. The license must include a distinguishing number assigned to  
29 the licensee, the name of record, date of birth, Washington residence  
30 address, photograph, a brief description of the licensee, and either a  
31 facsimile of the signature of the licensee or a space upon which the  
32 licensee shall write his or her usual signature with pen and ink  
33 immediately upon receipt of the license. No license is valid until it  
34 has been so signed by the licensee.

35 (2) The department, when mailing the driver's license to a first  
36 time applicant, must mail the driver's license to a valid Washington  
37 address and may not mail the driver's license to an address outside the

1 state of Washington. For the purposes of this subsection, "first time  
2 applicant" means a person applying for a driver's license in the state  
3 of Washington for the first time who has not been previously issued a  
4 driver's license by the department.

5 NEW SECTION. Sec. 4. This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and takes effect  
8 immediately.

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