H-3297.2

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**HOUSE BILL 2440**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Kilduff, Lovick, Chapman, Orwall, Rude, Leavitt, Santos, Pollet, and Wylie

AN ACT Relating to a medical alert designation on driver's licenses; amending RCW 46.20.161; creating a new section; and providing an effective date.

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

NEW SECTION. **Sec.**  The legislature finds that the health and safety of the traveling public, law enforcement, and emergency medical service providers are enhanced by the voluntary sharing of information about medical conditions. Licensed drivers and applicants who wish to voluntarily include a medical alert designation on their driver's license can provide law enforcement and emergency medical service providers with the opportunity to know at the point of contact or shortly thereafter that there is a medical condition which could affect communication or account for a driver health emergency. By taking action in accordance with existing driver privacy protections, the legislature seeks to enhance health and public safety by the voluntary provision and careful use of this information.

**Sec.**  RCW 46.20.161 and 2018 c 69 s 1 are each amended to read as follows:

(1) The department, upon receipt of a fee of forty-five dollars from October 1, 2012, to June 30, 2013, and fifty-four dollars after June 30, 2013, unless the driver's license is issued for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, in which case the fee shall be nine dollars for each year that the license is issued, which includes the fee for the required photograph, shall issue to every qualifying applicant a driver's license. A driver's license issued to a person under the age of eighteen is an intermediate license, subject to the restrictions imposed under RCW 46.20.075, until the person reaches the age of eighteen.

(2) The license must include:

(a) A distinguishing number assigned to the licensee((~~,~~));

(b) The name of record((~~,~~));

(c) Date of birth((~~,~~));

(d) Washington residence address((~~,~~));

(e) Photograph((~~,~~));

(f) A brief description of the licensee((~~,~~));

(g) Either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with pen and ink immediately upon receipt of the license((~~, and,~~));

(h) If applicable, the person's status as a veteran as provided in subsection ((~~(2)~~)) (4) of this section; and

(i) If applicable, a medical alert designation indicating that the person has provided information to the department identifying an eligible medical condition.

(3) No license is valid until it has been ((~~so~~)) signed by the licensee.

((~~(2)~~)) (4)(a) A veteran, as defined in RCW 41.04.007, or an individual who otherwise meets the criteria of RCW 41.04.007 but who has received a general discharge under honorable conditions, may apply to the department to obtain a veteran designation on a driver's license issued under this section by providing:

((~~(a)~~)) (i) A United States department of veterans affairs identification card or proof of service letter;

((~~(b)~~)) (ii) A United States department of defense discharge document, DD Form 214 or DD Form 215, as it exists on June 7, 2018, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, or equivalent or successor discharge paperwork, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States;

((~~(c)~~)) (iii) A national guard state-issued report of separation and military service, NGB Form 22, as it exists on June 7, 2018, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, or equivalent or successor discharge paperwork, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's active duty or reserve service in the national guard; or

((~~(d)~~)) (iv) A United States uniformed services identification card, DD Form 2, that displays on its face that it has been issued to a retired member of any of the armed forces of the United States, including the national guard and armed forces reserves.

(b) The department may permit a veteran, as defined in RCW 41.04.007, or an individual who otherwise meets the criteria of RCW 41.04.007 but who has received a general discharge under honorable conditions, to submit an alternate form of documentation to apply to obtain a veteran designation on a driver's license, as specified by rule, that requires a discharge status of "honorable" or "general under honorable conditions" and that establishes the person's service as required under RCW 41.04.007.

(5) Any person may apply to the department to obtain a medical alert designation on a driver's license issued under this chapter by providing:

(a) A certification signed by a licensed physician, osteopathic physician, physician assistant, advanced registered nurse practitioner, psychologist, social worker, or mental health care counselor verifying a medical condition that could affect communication or account for a driver health emergency. The certification shall not be disclosed, is for the confidential use of the director and the chief of the Washington state patrol and for law enforcement and emergency medical service providers as designated by law, and is subject to the privacy protections of the driver's privacy protection act, 18 U.S.C. Sec. 2725;

(b) A statement from the person that they have voluntarily provided the certification and other information verifying the medical condition; and

(c) For persons under eighteen years of age, the application must include the signature of a parent or guardian.

NEW SECTION. **Sec.**  This act takes effect July 1, 2020.

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