

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6429

Chapter 261, Laws of 2020

66th Legislature
2020 Regular Session

IDENTICARDS AND DRIVER'S LICENSES--MEDICAL ALERT DESIGNATION

EFFECTIVE DATE: January 1, 2022

Passed by the Senate March 9, 2020
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House March 6, 2020
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 31, 2020 11:23 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6429** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

March 31, 2020

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6429

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Senate Transportation (originally sponsored by Senators Brown, Walsh, Schoesler, Rivers, Van De Wege, and Becker)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to providing a designation on a driver's license
2 or identicard that a person has a developmental disability; amending
3 RCW 46.20.117 and 46.20.161; creating a new section; and providing an
4 effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the health and
7 safety of the traveling public, law enforcement, and emergency
8 medical service providers are enhanced by the voluntary sharing of
9 information about medical conditions, including deafness and
10 developmental disabilities. Licensed drivers and applicants who wish
11 to voluntarily include a medical alert designation on their driver's
12 license may provide law enforcement and emergency medical service
13 providers with the opportunity to know at the point of contact or
14 shortly thereafter that there is a medical condition which could
15 affect communication or account for a driver health emergency. By
16 taking action in accordance with existing driver privacy protections,
17 the legislature seeks to enhance health and public safety by the
18 voluntary provision and careful use of this information.

19 **Sec. 2.** RCW 46.20.117 and 2018 c 157 s 2 are each amended to
20 read as follows:

1 (1) **Issuance.** The department shall issue an identicard,
2 containing a picture, if the applicant:

3 (a) Does not hold a valid Washington driver's license;

4 (b) Proves his or her identity as required by RCW 46.20.035; and

5 (c) Pays the required fee. Except as provided in subsection
6 (~~(5)~~) (7) of this section, the fee is fifty-four dollars, unless an
7 applicant is:

8 (i) A recipient of continuing public assistance grants under
9 Title 74 RCW, who is referred in writing by the secretary of social
10 and health services;

11 (ii) Under the age of eighteen and does not have a permanent
12 residence address as determined by the department by rule; or

13 (iii) An individual who is scheduled to be released from an
14 institution as defined in RCW 13.40.020, a community facility as
15 defined in RCW 72.05.020, or other juvenile rehabilitation facility
16 operated by the department of social and health services or the
17 department of children, youth, and families; or an individual who has
18 been released from such an institution or facility within thirty
19 calendar days before the date of the application.

20 For those persons under (c)(i) through (iii) of this subsection,
21 the fee must be the actual cost of production of the identicard.

22 (2)(a) **Design and term.** The identicard must:

23 (i) Be distinctly designed so that it will not be confused with
24 the official driver's license; and

25 (ii) Except as provided in subsection (~~(5)~~) (7) of this
26 section, expire on the sixth anniversary of the applicant's birthdate
27 after issuance.

28 (b) The identicard may include the person's status as a veteran,
29 consistent with RCW 46.20.161(~~(2)~~) (4).

30 (c) If applicable, the identicard may include a medical alert
31 designation as provided in subsection (5) of this section.

32 (3) **Renewal.** An application for identicard renewal may be
33 submitted by means of:

34 (a) Personal appearance before the department; or

35 (b) Mail or electronic commerce, if permitted by rule of the
36 department and if the applicant did not renew his or her identicard
37 by mail or by electronic commerce when it last expired.

38 An identicard may not be renewed by mail or by electronic
39 commerce unless the renewal issued by the department includes a
40 photograph of the identicard holder.

1 (4) **Cancellation.** The department may cancel an identicard if the
2 holder of the identicard used the card or allowed others to use the
3 card in violation of RCW 46.20.0921.

4 (5) Any person may apply to the department to obtain a medical
5 alert designation, a developmental disability designation, or a
6 deafness designation on an identicard issued under this chapter by
7 providing:

8 (a) Self-attestation that the individual:

9 (i) Has a medical condition that could affect communication or
10 account for a health emergency;

11 (ii) Is deaf or hard of hearing; or

12 (iii) Has a developmental disability as defined in RCW
13 71A.10.020;

14 (b) A statement from the person that they have voluntarily
15 provided the self-attestation and other information verifying the
16 condition; and

17 (c) For persons under eighteen years of age or who have a
18 developmental disability, the signature of a parent or legal
19 guardian.

20 (6) A self-attestation or data contained in a self-attestation
21 provided under this section:

22 (a) Shall not be disclosed; and

23 (b) Is for the confidential use of the director, the chief of the
24 Washington state patrol, and law enforcement and emergency medical
25 service providers as designated by law.

26 (7) **Alternative issuance/renewal/extension.** The department may
27 issue or renew an identicard for a period other than six years, or
28 may extend by mail or electronic commerce an identicard that has
29 already been issued, in order to evenly distribute, as nearly as
30 possible, the yearly renewal rate of identicard holders. The fee for
31 an identicard issued or renewed for a period other than six years, or
32 that has been extended by mail or electronic commerce, is nine
33 dollars for each year that the identicard is issued, renewed, or
34 extended. The department may adopt any rules as are necessary to
35 carry out this subsection.

36 **Sec. 3.** RCW 46.20.161 and 2018 c 69 s 1 are each amended to read
37 as follows:

38 (1) The department, upon receipt of a fee of forty-five dollars
39 from October 1, 2012, to June 30, 2013, and fifty-four dollars after

1 June 30, 2013, unless the driver's license is issued for a period
2 other than five years from October 1, 2012, to June 30, 2013, or six
3 years after June 30, 2013, in which case the fee shall be nine
4 dollars for each year that the license is issued, which includes the
5 fee for the required photograph, shall issue to every qualifying
6 applicant a driver's license. A driver's license issued to a person
7 under the age of eighteen is an intermediate license, subject to the
8 restrictions imposed under RCW 46.20.075, until the person reaches
9 the age of eighteen.

10 (2) The license must include ~~((a))~~;

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

12 (b) The name of record ~~((~~date~~))~~;

13 (c) Date of birth ~~((~~τ~~))~~;

14 (d) Washington residence address ~~((~~τ~~ ~~photograph~~, ~~a~~))~~;

15 (e) Photograph;

16 (f) A brief description of the licensee ~~((~~τ~~ ~~either~~))~~;

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

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

23 (i) If applicable, a medical alert designation as provided in
24 subsection (5) of this section.

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

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

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

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

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

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

12 (b) The department may permit a veteran, as defined in RCW
13 41.04.007, or an individual who otherwise meets the criteria of RCW
14 41.04.007 but who has received a general discharge under honorable
15 conditions, to submit an alternate form of documentation to apply to
16 obtain a veteran designation on a driver's license, as specified by
17 rule, that requires a discharge status of "honorable" or "general
18 under honorable conditions" and that establishes the person's service
19 as required under RCW 41.04.007.

20 (5) Any person may apply to the department to obtain a medical
21 alert designation, a developmental disability designation, or a
22 deafness designation on a driver's license issued under this chapter
23 by providing:

24 (a) Self-attestation that the individual:

25 (i) Has a medical condition that could affect communication or
26 account for a driver health emergency;

27 (ii) Is deaf or hard of hearing; or

28 (iii) Has a developmental disability as defined in RCW
29 71A.10.020;

30 (b) A statement from the person that they have voluntarily
31 provided the self-attestation and other information verifying the
32 condition; and

33 (c) For persons under eighteen years of age or who have a
34 developmental disability, the signature of a parent or legal
35 guardian.

36 (6) A self-attestation or data contained in a self-attestation
37 provided under this section:

38 (a) Shall not be disclosed;

1 (b) Is for the confidential use of the director, the chief of the
2 Washington state patrol, and law enforcement and emergency medical
3 service providers as designated by law; and
4 (c) Is subject to the privacy protections of the driver's privacy
5 protection act, 18 U.S.C. Sec. 2725.

6 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2022.

 Passed by the Senate March 9, 2020.
 Passed by the House March 6, 2020.
 Approved by the Governor March 31, 2020.
 Filed in Office of Secretary of State March 31, 2020.

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