

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1207

Chapter 158, Laws of 2021

67th Legislature
2021 Regular Session

DEPARTMENT OF LICENSING ISSUED DOCUMENTS—VARIOUS PROVISIONS

EFFECTIVE DATE: January 1, 2022—Except for sections 1, 3, and 4,
which become effective May 3, 2021.

Passed by the House April 13, 2021
Yeas 90 Nays 8

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 6, 2021
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved May 3, 2021 2:12 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1207** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 3, 2021

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1207

AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

State of Washington 67th Legislature 2021 Regular Session

By House Transportation (originally sponsored by Representatives Ramel, Boehnke, Lekanoff, Lovick, Ortiz-Self, Eslick, Bergquist, and Leavitt; by request of Department of Licensing)

READ FIRST TIME 02/22/21.

1 AN ACT Relating to improving access to department of licensing
2 issued documents by extending the issuance period of driver licenses
3 and identicards to eight years, allowing online issuance and renewal
4 of instruction permits, and expanding online renewal of driver
5 licenses and identicards; amending RCW 46.20.049, 46.20.055,
6 46.20.091, 46.20.120, 46.20.161, 46.20.181, 46.20.202, and 46.20.505;
7 reenacting and amending RCW 46.20.117; creating new sections;
8 providing an effective date; and declaring an emergency.

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

10 NEW SECTION. **Sec. 1.** The legislature finds that a driver's
11 license or identicard is a fundamental document that Washingtonians
12 need to live, work, drive, and access essential needs. The COVID-19
13 pandemic has significantly reduced the department of licensing's
14 ability to provide in-person driver licensing services, resulting in
15 a growing backlog of customers that cannot access the agency's
16 critical services. This act is intended to address that backlog by
17 expanding online renewals, extending driver's license and identicard
18 issuance up to eight years, and providing more online options for
19 instruction permits. The legislature recognizes the critical role of
20 the department of licensing's front line staff during the pandemic
21 and does not intend that this act will result in staffing reductions

1 at the department of licensing now or in the future. To ensure that a
2 driver's license and identicard remain affordable for Washington
3 residents, the legislature intends for the department of licensing to
4 continue to offer a six-year issuance option. The legislature further
5 recognizes the potential of remote photo capture to enable expanded
6 online renewals while ensuring that customer information remains
7 updated. In implementing remote photo capture, the legislature
8 intends that the department of licensing will prioritize data
9 security and antifraud features as well as closely monitor its usage.
10 The legislature also intends that within a year of initial
11 implementation of remote photo capture, driver's license and
12 identicard photos should be updated with each renewal whenever
13 possible, recognizing that technology limitations and other
14 challenges will prevent some customers from using remote photo
15 capture.

16 **Sec. 2.** RCW 46.20.049 and 2012 c 80 s 11 are each amended to
17 read as follows:

18 There shall be an additional fee for issuing any class of
19 commercial driver's license in addition to the prescribed fee
20 required for the issuance of the original driver's license. The
21 additional fee for each class shall be (~~eighty-five dollars from~~
22 ~~October 1, 2012, to June 30, 2013, and one hundred two dollars after~~
23 ~~June 30, 2013,)) one hundred thirty-six dollars for the original
24 commercial driver's license or subsequent renewals. If the commercial
25 driver's license is issued, renewed, or extended for a period other
26 than ((five)) eight years (~~from October 1, 2012, to June 30, 2013,~~
27 ~~or six years after June 30, 2013)), the fee for each class shall be
28 seventeen dollars for each year that the commercial driver's license
29 is issued, renewed, or extended. The fee shall be deposited in the
30 highway safety fund.~~~~

31 **Sec. 3.** RCW 46.20.055 and 2017 c 197 s 6 are each amended to
32 read as follows:

33 (1) **Driver's instruction permit.** The department may issue a
34 driver's instruction permit online or in person with or without a
35 photograph to an applicant who has successfully passed all parts of
36 the examination other than the driving test, provided the information
37 required by RCW 46.20.091, paid an application fee of twenty-five
38 dollars, and meets the following requirements:

1 (a) Is at least fifteen and one-half years of age; or
2 (b) Is at least fifteen years of age and:
3 (i) Has submitted a proper application; and
4 (ii) Is enrolled in a driver training education course offered as
5 part of a traffic safety education program authorized by the office
6 of the superintendent of public instruction and certified under
7 chapter 28A.220 RCW or offered by a driver training school licensed
8 and inspected by the department of licensing under chapter 46.82 RCW,
9 that includes practice driving.

10 (2) **Waiver of written examination for instruction permit.** The
11 department may waive the written examination, if, at the time of
12 application, an applicant is enrolled in a driver training education
13 course as defined in RCW 46.82.280 or 28A.220.020.

14 The department may require proof of registration in such a course
15 as it deems necessary.

16 (3) **Effect of instruction permit.** A person holding a driver's
17 instruction permit may drive a motor vehicle, other than a
18 motorcycle, upon the public highways if:

19 (a) The person has immediate possession of the permit;

20 (b) The person is not using a wireless communications device,
21 unless the person is using the device to report illegal activity,
22 summon medical or other emergency help, or prevent injury to a person
23 or property; and

24 (c) A driver training education course instructor who meets the
25 qualifications of chapter 46.82 or 28A.220 RCW, or a licensed driver
26 with at least five years of driving experience, occupies the seat
27 beside the driver.

28 (4) **Term of instruction permit.** A driver's instruction permit is
29 valid for one year from the date of issue.

30 (a) The department may issue one additional one-year permit.

31 (b) The department may issue a third driver's permit if it finds
32 after an investigation that the permittee is diligently seeking to
33 improve driving proficiency.

34 (c) A person applying for an additional instruction permit must
35 submit the application to the department (~~in person~~) and pay an
36 application fee of twenty-five dollars for each issuance.

37 **Sec. 4.** RCW 46.20.091 and 2000 c 115 s 4 are each amended to
38 read as follows:

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

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

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

8 (c) Sex;

9 (d) Washington residence address;

10 (e) Description;

11 (f) Driving licensing history, including:

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

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

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

20 (2) **Sworn statement.** An application for an instruction permit or
21 for an original driver's license must be made upon a form provided by
22 the department. The form must include a section for the applicant to
23 indicate whether (~~he or she~~) the applicant has received driver
24 training and, if so, where. The identifying documentation verifying
25 the name of record must be accompanied by the applicant's (~~written~~)
26 sworn statement that it is valid. (~~The~~) For an original driver's
27 license, the information provided on the form must be sworn to and
28 signed by the applicant before a person authorized to administer
29 oaths. An applicant who makes a false statement on an application for
30 a driver's license or instruction permit is guilty of false swearing,
31 a gross misdemeanor, under RCW 9A.72.040.

32 (3) **Driving records from other jurisdictions.** If a person
33 previously licensed in another jurisdiction applies for a Washington
34 driver's license, the department shall request a copy of the
35 applicant's driver's record from the other jurisdiction. The driving
36 record from the other jurisdiction becomes a part of the driver's
37 record in this state.

38 (4) **Driving records to other jurisdictions.** If another
39 jurisdiction requests a copy of a person's Washington driver's
40 record, the department shall provide a copy of the record. The

1 department shall forward the record without charge if the other
2 jurisdiction extends the same privilege to the state of Washington.
3 Otherwise the department shall charge a reasonable fee for
4 transmittal of the record.

5 **Sec. 5.** RCW 46.20.117 and 2020 c 261 s 2 and 2020 c 124 s 2 are
6 each reenacted and amended to read as follows:

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

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

10 (b) Proves (~~his or her~~) the applicant's identity as required by
11 RCW 46.20.035; and

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

15 (i) A recipient of continuing public assistance grants under
16 Title 74 RCW, who is referred in writing by the secretary of social
17 and health services or by the secretary of children, youth, and
18 families;

19 (ii) Under the age of twenty-five and does not have a permanent
20 residence address as determined by the department by rule; or

21 (iii) An individual who is scheduled to be released from an
22 institution as defined in RCW 13.40.020, a community facility as
23 defined in RCW 72.05.020, or other juvenile rehabilitation facility
24 operated by the department of social and health services or the
25 department of children, youth, and families; or an individual who has
26 been released from such an institution or facility within thirty
27 calendar days before the date of the application.

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

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

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

33 (ii) Except as provided in subsection (7) of this section, expire
34 on the (~~sixth~~) eighth anniversary of the applicant's birthdate
35 after issuance.

36 (b) The identicard may include the person's status as a veteran,
37 consistent with RCW 46.20.161(4).

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

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

3 (a) Personal appearance before the department; (~~or~~)

4 (b) Mail or electronic commerce, if permitted by rule of the
5 department and if the applicant did not renew (~~his or her~~) the
6 identicard by mail or by electronic commerce when it last expired; or

7 (c) From January 1, 2022, to June 30, 2024, electronic commerce,
8 if permitted by rule of the department.

9 An identicard may not be renewed by mail or by electronic
10 commerce unless the renewal issued by the department includes a
11 photograph of the identicard holder.

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

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

19 (a) Self-attestation that the individual:

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

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

23 (iii) Has a developmental disability as defined in RCW
24 71A.10.020;

25 (b) A statement from the person that they have voluntarily
26 provided the self-attestation and other information verifying the
27 condition; and

28 (c) For persons under eighteen years of age or who have a
29 developmental disability, the signature of a parent or legal
30 guardian.

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

33 (a) Shall not be disclosed; and

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

37 (7) **Alternative issuance/renewal/extension.** The department may
38 issue or renew an identicard for a period other than (~~six~~) eight
39 years, or may extend by mail or electronic commerce an identicard
40 that has already been issued(~~, in order to evenly distribute, as~~

1 ~~nearly as possible, the yearly renewal rate of identicard holders))~~.
2 The fee for an identicard issued or renewed for a period other than
3 ~~((six))~~ eight years, or that has been extended by mail or electronic
4 commerce, is nine dollars for each year that the identicard is
5 issued, renewed, or extended. The department must offer the option to
6 issue or renew an identicard for six years in addition to the eight
7 year issuance. The department may adopt any rules as are necessary to
8 carry out this subsection.

9 (8) Identicard photos must be updated in the same manner as
10 driver's license photos under RCW 46.20.120(5).

11 **Sec. 6.** RCW 46.20.120 and 2012 c 80 s 7 are each amended to read
12 as follows:

13 An applicant for a new or renewed driver's license must
14 successfully pass a driver licensing examination to qualify for a
15 driver's license. The department must ensure that examinations are
16 given at places and times reasonably available to the people of this
17 state. If the department does not administer driver licensing
18 examinations as a routine part of its licensing services within a
19 department region because adequate testing sites are provided by
20 driver training schools or school districts within that region, the
21 department shall, at a minimum, administer driver licensing
22 examinations by appointment to applicants eighteen years of age and
23 older in at least one licensing office within that region.

24 (1) **Waiver.** The department may waive:

25 (a) All or any part of the examination of any person applying for
26 the renewal of a driver's license unless the department determines
27 that the applicant is not qualified to hold a driver's license under
28 this title; or

29 (b) All or any part of the examination involving operating a
30 motor vehicle if the applicant:

31 (i) Surrenders a valid driver's license issued by the person's
32 previous home state; or

33 (ii) Provides for verification a valid driver's license issued by
34 a foreign driver licensing jurisdiction with which the department has
35 an informal agreement under RCW 46.20.125; and

36 (iii) Is otherwise qualified to be licensed.

37 (2) **Fee.** Each applicant for a new license must pay an examination
38 fee of thirty-five dollars.

1 (a) The examination fee is in addition to the fee charged for
2 issuance of the license.

3 (b) "New license" means a license issued to a driver:

4 (i) Who has not been previously licensed in this state; or

5 (ii) Whose last previous Washington license has been expired for
6 more than ~~((six))~~ eight years.

7 (3) An application for driver's license renewal may be submitted
8 by means of:

9 (a) Personal appearance before the department; ~~((or))~~

10 (b) Mail or electronic commerce, if permitted by rule of the
11 department and if the applicant did not renew ~~((his or her))~~ the
12 license by mail or by electronic commerce when it last expired; or

13 (c) From January 1, 2022, to June 30, 2024, electronic commerce,
14 if permitted by rule of the department.

15 (4) A person whose license expired or will expire while ~~((he or~~
16 ~~she))~~ the licensee is living outside the state, may:

17 (a) Apply to the department to extend the validity of ~~((his or~~
18 ~~her))~~ the license for no more than twelve months. If the person
19 establishes to the department's satisfaction that ~~((he or she))~~ the
20 licensee is unable to return to Washington before the date ~~((his or~~
21 ~~her))~~ the license expires, the department shall extend the person's
22 license. The department may grant consecutive extensions, but in no
23 event may the cumulative total of extensions exceed twelve months. An
24 extension granted under this section does not change the expiration
25 date of the license for purposes of RCW 46.20.181. The department
26 shall charge a fee of five dollars for each license extension;

27 (b) Apply to the department to renew ~~((his or her))~~ the license
28 by mail or, if permitted by rule of the department, by electronic
29 commerce even if subsection (3)(b) of this section would not
30 otherwise allow renewal by that means. If the person establishes to
31 the department's satisfaction that ~~((he or she))~~ the licensee is
32 unable to return to Washington within twelve months of the date that
33 ~~((his or her))~~ the license expires, the department shall renew the
34 person's license by mail or, if permitted by rule of the department,
35 by electronic commerce.

36 (5) (a) If a qualified person submits an application for renewal
37 under subsection (3)(b) or (c) or (4)(b) of this section, ~~((he or~~
38 ~~she))~~ the applicant is not required to pass an examination ~~((nor))~~
39 and only needs to provide an updated photograph:

1 (i) At least every 16 years, except that persons under 30 must
2 provide an updated photograph every eight years; and

3 (ii) Beginning January 1, 2023, persons renewing through
4 electronic commerce must provide an updated photograph in a form and
5 manner approved by the department with each renewal unless they are
6 unable to provide a photograph that meets the department's
7 requirements and the most recent photograph on file with the
8 department is not more than 10 years old at the time of renewal.

9 (b) A license renewed by mail or by electronic commerce that does
10 not include a photograph of the licensee must be labeled "not valid
11 for identification purposes."

12 (6) Driver training schools licensed by the department under
13 chapter 46.82 RCW may administer the portions of the driver licensing
14 examination that test the applicant's knowledge of traffic laws and
15 ability to safely operate a motor vehicle.

16 (7) School districts that offer a traffic safety education
17 program under chapter 28A.220 RCW may administer the portions of the
18 driver licensing examination that test the applicant's knowledge of
19 traffic laws and ability to safely operate a motor vehicle.

20 **Sec. 7.** RCW 46.20.161 and 2020 c 261 s 3 are each amended to
21 read as follows:

22 (1) The department, upon receipt of a fee of ~~((forty-five))~~
23 seventy-two dollars ~~((from October 1, 2012, to June 30, 2013, and~~
24 ~~fifty-four dollars after June 30, 2013))~~, unless the driver's license
25 is issued for a period other than ~~((five))~~ eight years ~~((from October~~
26 ~~1, 2012, to June 30, 2013, or six years after June 30, 2013))~~, in
27 which case the fee shall be nine dollars for each year that the
28 license is issued, which includes the fee for the required
29 photograph, shall issue to every qualifying applicant a driver's
30 license. A driver's license issued to a person under the age of
31 eighteen is an intermediate license, subject to the restrictions
32 imposed under RCW 46.20.075, until the person reaches the age of
33 eighteen.

34 (2) The license must include:

35 (a) A distinguishing number assigned to the licensee;

36 (b) The name of record;

37 (c) Date of birth;

38 (d) Washington residence address;

39 (e) Photograph;

1 (f) A brief description of the licensee;

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

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

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

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

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

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

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

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

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

36 (b) The department may permit a veteran, as defined in RCW
37 41.04.007, or an individual who otherwise meets the criteria of RCW
38 41.04.007 but who has received a general discharge under honorable
39 conditions, to submit an alternate form of documentation to apply to
40 obtain a veteran designation on a driver's license, as specified by

1 rule, that requires a discharge status of "honorable" or "general
2 under honorable conditions" and that establishes the person's service
3 as required under RCW 41.04.007.

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 a driver's license issued under this chapter
7 by providing:

8 (a) Self-attestation that the individual:

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

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; and

26 (c) Is subject to the privacy protections of the driver's privacy
27 protection act, 18 U.S.C. Sec. 2725.

28 **Sec. 8.** RCW 46.20.181 and 2012 c 80 s 9 are each amended to read
29 as follows:

30 (1) Except as provided in subsection (4) or (5) of this section,
31 every driver's license expires on the (~~sixth~~) eighth anniversary of
32 the licensee's birthdate following the issuance of the license.

33 (2) A person may renew (~~his or her~~) a license on or before the
34 expiration date by submitting an application as prescribed by the
35 department and paying a fee of (~~forty-five~~) seventy-two dollars
36 (~~from October 1, 2012, to June 30, 2013, and fifty-four dollars~~
37 ~~after June 30, 2013)). This fee includes the fee for the required~~
38 photograph.

1 (3) A person renewing (~~his or her~~) a driver's license more than
2 sixty days after the license has expired shall pay a penalty fee of
3 ten dollars in addition to the renewal fee, unless (~~his or her~~) the
4 license expired when:

5 (a) The person was outside the state and (~~he or she~~) the
6 licensee renews the license within sixty days after returning to this
7 state; or

8 (b) The person was incapacitated and (~~he or she~~) the licensee
9 renews the license within sixty days after the termination of the
10 incapacity.

11 (4) The department may issue or renew a driver's license for a
12 period other than (~~five~~) eight years (~~from October 1, 2012, to~~
13 ~~June 30, 2013, or six years after June 30, 2013~~), or may extend by
14 mail or electronic commerce a license that has already been issued(~~7~~
15 ~~in order to evenly distribute, as nearly as possible, the yearly~~
16 ~~renewal rate of licensed drivers~~). The fee for a driver's license
17 issued or renewed for a period other than (~~five~~) eight years (~~from~~
18 ~~October 1, 2012, to June 30, 2013, or six years after June 30,~~
19 ~~2013~~), or that has been extended by mail or electronic commerce, is
20 nine dollars for each year that the license is issued, renewed, or
21 extended. The department must offer the option to issue or renew a
22 driver's license for six years in addition to the eight year
23 issuance. The department may adopt any rules as are necessary to
24 carry out this subsection.

25 (5) A driver's license that includes a hazardous materials
26 endorsement under chapter 46.25 RCW may expire on an anniversary of
27 the licensee's birthdate other than the (~~sixth~~) eighth year
28 following issuance or renewal of the license in order to match, as
29 nearly as possible, the validity of certification from the federal
30 transportation security administration that the licensee has been
31 determined not to pose a security risk. The fee for a driver's
32 license issued or renewed for a period other than (~~five~~) eight
33 ~~years (from October 1, 2012, to June 30, 2013, or six years after~~
34 ~~June 30, 2013,~~) is nine dollars for each year that the license is
35 issued or renewed, not including any endorsement fees. The department
36 may adjust the expiration date of a driver's license that has
37 previously been issued to conform to the provisions of this
38 subsection if a hazardous materials endorsement is added to the
39 license subsequent to its issuance. If the validity of the driver's

1 license is extended, the licensee must pay a fee of nine dollars for
2 each year that the license is extended.

3 (6) The department may adopt any rules as are necessary to carry
4 out this section.

5 **Sec. 9.** RCW 46.20.202 and 2017 c 310 s 3 are each amended to
6 read as follows:

7 (1) The department may enter into a memorandum of understanding
8 with any federal agency for the purposes of facilitating the crossing
9 of the border between the state of Washington and the Canadian
10 province of British Columbia.

11 (2) The department may enter into an agreement with the Canadian
12 province of British Columbia for the purposes of implementing a
13 border-crossing initiative.

14 (3)(a) The department may issue an enhanced driver's license or
15 identicard for the purposes of crossing the border between the state
16 of Washington and the Canadian province of British Columbia to an
17 applicant who provides the department with proof of: United States
18 citizenship, identity, and state residency. The department shall
19 continue to offer a standard driver's license and identicard. If the
20 department chooses to issue an enhanced driver's license, the
21 department must allow each applicant to choose between a standard
22 driver's license or identicard, or an enhanced driver's license or
23 identicard.

24 (b) The department shall implement a one-to-many biometric
25 matching system for the enhanced driver's license or identicard. An
26 applicant for an enhanced driver's license or identicard shall submit
27 a biometric identifier as designated by the department. The biometric
28 identifier must be used solely for the purpose of verifying the
29 identity of the holders and for any purpose set out in RCW 46.20.037.
30 Applicants are required to sign a declaration acknowledging their
31 understanding of the one-to-many biometric match.

32 (c) The enhanced driver's license or identicard must include
33 reasonable security measures to protect the privacy of Washington
34 state residents, including reasonable safeguards to protect against
35 unauthorized disclosure of data about Washington state residents. If
36 the enhanced driver's license or identicard includes a radio
37 frequency identification chip, or similar technology, the department
38 shall ensure that the technology is encrypted or otherwise secure
39 from unauthorized data access.

1 (d) The requirements of this subsection are in addition to the
2 requirements otherwise imposed on applicants for a driver's license
3 or identicard. The department shall adopt such rules as necessary to
4 meet the requirements of this subsection. From time to time the
5 department shall review technological innovations related to the
6 security of identity cards and amend the rules related to enhanced
7 driver's licenses and identicards as the director deems consistent
8 with this section and appropriate to protect the privacy of
9 Washington state residents.

10 (e) Notwithstanding RCW 46.20.118, the department may make images
11 associated with enhanced drivers' licenses or identicards from the
12 negative file available to United States customs and border agents
13 for the purposes of verifying identity.

14 (4) Beginning on July 23, 2017, the fee for an enhanced driver's
15 license or enhanced identicard is (~~(twenty-four)~~) thirty-two dollars,
16 which is in addition to the fees for any regular driver's license or
17 identicard. If the enhanced driver's license or enhanced identicard
18 is issued, renewed, or extended for a period other than (~~(six)~~) eight
19 years, the fee for each class is four dollars for each year that the
20 enhanced driver's license or enhanced identicard is issued, renewed,
21 or extended.

22 (5) The enhanced driver's license and enhanced identicard fee
23 under this section must be deposited into the highway safety fund
24 unless prior to July 1, 2023, the actions described in (a) or (b) of
25 this subsection occur, in which case the portion of the revenue that
26 is the result of the fee increased in section 209, chapter 44, Laws
27 of 2015 3rd sp. sess. must be distributed to the connecting
28 Washington account created under RCW 46.68.395.

29 (a) Any state agency files a notice of rule making under chapter
30 34.05 RCW for a rule regarding a fuel standard based upon or defined
31 by the carbon intensity of fuel, including a low carbon fuel standard
32 or clean fuel standard.

33 (b) Any state agency otherwise enacts, adopts, orders, or in any
34 way implements a fuel standard based upon or defined by the carbon
35 intensity of fuel, including a low carbon fuel standard or clean fuel
36 standard.

37 (c) Nothing in this subsection acknowledges, establishes, or
38 creates legal authority for the department of ecology or any other
39 state agency to enact, adopt, order, or in any way implement a fuel

1 standard based upon or defined by the carbon intensity of fuel,
2 including a low carbon fuel standard or clean fuel standard.

3 **Sec. 10.** RCW 46.20.505 and 2012 c 80 s 13 are each amended to
4 read as follows:

5 Every person applying for a special endorsement of a driver's
6 license authorizing such person to drive a two or three-wheeled
7 motorcycle or a motor-driven cycle shall pay a fee of five dollars,
8 which is not refundable. In addition, the endorsement fee for the
9 initial motorcycle endorsement shall not exceed (~~twelve~~) sixteen
10 dollars, unless the endorsement is issued for a period other than
11 (~~six~~) eight years, in which case the endorsement fee shall not
12 exceed two dollars for each year the initial motorcycle endorsement
13 is issued. The subsequent renewal endorsement fee shall not exceed
14 (~~thirty~~) forty dollars, unless the endorsement is renewed or
15 extended for a period other than (~~six~~) eight years, in which case
16 the subsequent renewal endorsement fee shall not exceed five dollars
17 for each year that the endorsement is renewed or extended. Fees
18 collected under this section shall be deposited in the motorcycle
19 safety education account of the highway safety fund.

20 NEW SECTION. **Sec. 11.** The department of licensing must evaluate
21 the impact of expanded online renewals and remote photo capture on
22 backlog reduction, access to services, employment, public safety,
23 identity fraud, and other topics as determined by the department. In
24 completing this evaluation, the department of licensing must consult
25 with relevant stakeholders and experts, including law enforcement,
26 organizations representing the department's employees, organizations
27 with expertise in data security and identity fraud, organizations
28 representing commercial drivers, and others as determined by the
29 department. The department of licensing must submit a report to the
30 governor and transportation committees of the legislature by December
31 1, 2023.

32 NEW SECTION. **Sec. 12.** Sections 2 and 5 through 11 of this act
33 take effect January 1, 2022.

34 NEW SECTION. **Sec. 13.** Sections 1, 3, and 4 of this act are
35 necessary for the immediate preservation of the public peace, health,

1 or safety, or support of the state government and its existing public
2 institutions, and take effect immediately.

Passed by the House April 13, 2021.

Passed by the Senate April 6, 2021.

Approved by the Governor May 3, 2021.

Filed in Office of Secretary of State May 3, 2021.

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