

## WSR 21-04-139

## PROPOSED RULES

## DEPARTMENT OF LICENSING

[Filed February 2, 2021, 4:00 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-23-120.

Title of Rule and Other Identifying Information: WAC 308-104-019  
Renewal of driver's license or identicard by electronic commerce.

Hearing Location(s): On March 9, 2021, at 1:00 p.m., telephonic public rule-making hearing will be conducted remotely over the phone, call-in number 360-407-3815, conference ID 2868139. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the department of licensing (DOL) will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A telephonic public hearing, without a physical space, will be held instead. Presenters and staff will participate remotely. The public may call into the hearing using the information provided for the telephonic hearing.

Date of Intended Adoption: March 10, 2021.

Submit Written Comments to: Ellis Starrett, 1125 Washington Street S.E., P.O. Box 9030, Olympia, WA 98507-9030, email rulescoordinator@dol.wa.gov, by March 9, 2021.

Assistance for Persons with Disabilities: Contact Ellis Starrett, phone 360-902-3846, email estarrett@dol.wa.gov, by March 1, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule change would allow persons under twenty-five years of age to renew their driver's license or identicard online.

Reasons Supporting Proposal: This rule change is necessary to allow greater access to the department's online services for driver's license and identicard renewals. Owing to public health guidelines, the department must operate physical locations at fifty percent capacity. The rule change will also provide more convenient services for customers while preserving public safety.

Statutory Authority for Adoption: RCW 46.01.110, 46.20.120.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DOL, governmental.

Name of Agency Personnel Responsible for Drafting: Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-3846; Implementation: Charlotte Anderson, 719 Sleater-Kinney Road S.E., Suite 108, Lacey, WA 98503, 360-902-3766; and Enforcement: Gilbert De Leon III, 12801 East Sprague Avenue, Spokane, WA 99216, 509-921-2383.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule change eases the requirements on customers while not requiring them to change any of their current practices while accessing our services. They do not impose additional costs, require additional paperwork, or place additional barriers/burdens on our customers. This rule change would expand the ability for customers to renew online by allowing those who are under twenty-four to renew driver's licenses and identicard[s] online.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how

costs were calculated. Businesses should not be impacted by this rule change. This rule impacts individuals who have a valid Washington state identicard or driver's license and are under twenty-four. This rule change will not impose a cost on those impacted by the rule change.

February 2, 2021  
Damon Monroe  
Rules Coordinator

## OTS-2910.1

AMENDATORY SECTION (Amending WSR 15-09-032, filed 4/9/15, effective 5/10/15)

**WAC 308-104-019 Renewal of driver's license or identicard by electronic commerce—Eligibility.** An applicant for a driver's license renewal or identicard renewal may apply by electronic commerce if permitted under this section.

(1) A person whose valid driver's license is about to expire may be allowed to renew by electronic commerce if the person:

(a) Is eligible to renew his or her driver's license by electronic commerce under the provisions of RCW 46.20.120 (3)(b) or (4)(b);

(b) Has previously been issued a digital driver's license;

(c) Is (~~at least twenty-four and~~) not more than seventy years of age;

(d) Has a valid Social Security number on file with the department;

(e) Has a valid mailing address on his or her driving record as maintained by the department;

(f) Does not have a commercial driver's license, instruction permit, or agricultural permit;

(g) Has not paid a fee owed to the department with a check that has been dishonored;

(h) Has not failed to appear, respond, or comply with the terms of or in response to a traffic citation or notice of traffic infraction; and

(i) Does not have any actions pending against his or her driver's license or driving privileges.

(2) A person applying for driver's license renewal by electronic commerce must:

(a) Certify that he or she has had no mental or physical condition or is not taking any medication which could impair his or her ability to operate a motor vehicle safely;

(b) Make the necessary certification under WAC 308-104-010(2);  
and

(c) Complete the required application and pay all applicable fees.

(3) A person whose valid identicard is about to expire may renew by electronic commerce if the person:

(a) Is eligible to renew his or her identicard by electronic commerce under the provisions of RCW 46.20.117 (3)(b); and

(b) (~~Is at least twenty-four years of age; and~~

~~(e-))~~ Has previously been issued a digital identicard.

(4) A person applying for identicard renewal by electronic commerce must complete the required application and pay all applicable fees.

(5) The department may specify the means and establish procedures by which a person may make an application under this section.

[Statutory Authority: RCW 46.01.110, 46.20.120. WSR 15-09-032, § 308-104-019, filed 4/9/15, effective 5/10/15. Statutory Authority: RCW 46.01.110, 46.20.117, and 46.20.120. WSR 10-15-019, § 308-104-019, filed 7/9/10, effective 8/9/10. Statutory Authority: RCW 46.61.110, 46.20.041, 46.20.091, 46.20.120, and 46.20.130. WSR 09-16-012, § 308-104-019, filed 7/23/09, effective 8/23/09. Statutory Authority: RCW 46.01.110 and 46.20.202. WSR 07-22-031, § 308-104-019, filed 10/29/07, effective 11/29/07. Statutory Authority: RCW 46.01.110. WSR 04-20-012, § 308-104-019, filed 9/24/04, effective 10/25/04.]