

WSR 24-20-141

EXPEDITED RULES

DEPARTMENT OF LICENSING

[Filed October 2, 2024, 9:09 a.m.]

Title of Rule and Other Identifying Information: Amending WAC 308-104-014 Application for driver's license or identicard, to align with recent statutory changes under SB 5800, allowing a "responsible adult," as defined within the act, to sign on behalf of a minor for their driver license application.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Effective January 1, 2025, SB 5800 will allow a "responsible adult" to sign on behalf of a minor for their driver license application and/or motorcycle endorsement. This rule making will codify changes made during the 2024 legislative session.

Reasons Supporting Proposal: The department of licensing (DOL) is proposing amendments to include a "responsible adult" as being eligible to sign on behalf of a minor for a driver license application, pursuant to implementation of SB 5800 passed during the 2024 legislative session.

Statutory Authority for Adoption: SB 5800 and RCW 46.01.110 Rule-making authority.

Statute Being Implemented: SB 5800.

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

Name of Proponent: DOL, governmental.

Name of Agency Personnel Responsible for Drafting: Colton Myers, 1125 Washington Street S.E., Olympia, WA 98501, 360-634-5094; Implementation and Enforcement: Charlotte Anderson, 405 Black Lake Boulevard S.W., Olympia, WA 98502, 360-791-8287.

This notice meets the following criteria to use the expedited adoption process for these rules:

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: SB 5800 was DOL agency request legislation. It was already vetted with external partners prior to the legislative session when proposed language was drafted. DOL also worked closely with legislators to amend language through passage.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Ellis Starrett, DOL, 1125 Washington Street S.E., Olympia, WA 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov, BEGINNING October 2, 2024, AND RECEIVED BY December 2, 2024.

October 2, 2024
Ellis Starrett
Rules and Policy Manager

OTS-5845.1

AMENDATORY SECTION (Amending WSR 21-02-030, filed 12/28/20, effective 1/28/21)

WAC 308-104-014 Application for driver's license or identicard.

A person applying for a driver's license, instruction permit, or identification card must provide the following information:

- (1) (a) The person's full name, current mailing and Washington residential address, and telephone number;
- (b) A person applying for an identicard who does not have a permanent primary resident address may be issued an identicard at the cost of production if the person:
 - (i) Is under the age of (~~eighteen~~) 18;
 - (ii) Applies in person;
 - (iii) Attests to a lack of permanent primary resident address at each application; and
 - (iv) Provides a temporary mailing address where the identicard can be mailed(~~(-)~~);
- (2) The person's physical description, including sex, height, weight, and eye color;
- (3) The person's date of birth;
- (4) (a) The person's Social Security number, if the Social Security number is required by state or federal law. If the person's Social Security number is not required by state or federal law, the person may voluntarily provide (~~(his or her)~~) their Social Security number in order to assist the department in verifying identity;
- (b) If the Social Security number is required by state or federal law and the person has not been issued a Social Security number, the person must submit a sworn affidavit, under penalty of perjury, stating that (~~(he or she does)~~) they do not have a Social Security number. The department may require that a person who is applying for a license and who has signed an affidavit under this subsection provide additional documentation satisfactory to the department establishing the person's Washington residence address;
- (5) Whether the person is one of multiple siblings born at the same time;
- (6) If the application is for a driver's license or instruction permit, whether the person has been previously licensed, where such license was issued, and under what name;
- (7) If the application is for a driver's license or instruction permit, whether the person has ever had (~~(his or her)~~) their driver's license or driving privilege suspended, revoked, canceled, disqualified, withheld, or denied, and if so, where and when such driving sanction was imposed and the reason for such action;
- (8) If the application is for a driver's license or instruction permit, whether the person has had a mental or physical condition or is taking any medication which could impair (~~(his or her)~~) their ability to operate a motor vehicle;
- (9) If the application is for a driver's license and the person is under the age of (~~eighteen~~) 18, a declaration by the person's parent, guardian, (~~(or)~~) employer, or responsible adult as defined in RCW 46.20.075 that (~~(he or she has)~~) they have read and understand(~~(s)~~) the intermediate license restrictions, and a declaration by the person that (~~(he or she has)~~) they have read and understand(~~(s)~~) the intermediate license restrictions;
- (10) The person's signature and, if the application is for a driver's license or instruction permit and the person is under the age of (~~eighteen~~) 18, the signature of the person's custodial parent

~~((e))~~, legal guardian, or responsible adult as defined in RCW 46.20.075; and

(11) Any supplementary documentation as may be necessary to verify any of the information required by this section.