

HOUSE BILL REPORT

HB 1077

As Reported By House Committee On:

Law & Justice

Title: An act relating to identification.

Brief Description: Specifying the official forms of establishing proof of identity.

Sponsors: Representatives Sterk, D. Sommers, Boldt and Sheahan.

Brief History:

Committee Activity:

Law & Justice: 1/22/97, 1/28/97 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Staff: Trudes Hutcheson (786-7384).

Background: Certain agencies and entities require proof of identification for a variety of purposes. For example, the Department of Licensing requires proof of identification before issuing a driver's license or an identicard. Both the motor vehicles statutes and the Department of Licensing's rules establish the types of documents the department will recognize as showing proof of identification. Absent any of those documents, the department may accept other documentation that clearly establishes the applicant's identity. If the applicant cannot produce required documentation, the department will issue a license plainly labeled not valid for identification purposes.-

A class 1 civil infraction has a maximum penalty and default amount of \$250 and is not a criminal offense.

Summary of Substitute Bill: Any person or entity, other than those exempted, who issues an identification card that purports to identify the holder as a resident of this or any other state and that contains a name, photograph, and date of birth, must label the

card not official proof of identification– in flourescent yellow ink, on the face of the card, and in not less than 14 point font. The background color of the card must be a color other than that used for Washington State driver’s licenses and identicards. Certain persons and entities are exempt from this requirement. Failure to comply is a class 1 civil infraction.

Substitute Bill Compared to Original Bill: The substitute bill does not establish official forms of identification. The substitute bill requires the label to be a specific color and in a specific font. The substitute bill also adds the following to the list of persons exempt from the labeling requirement: (a) private employers issuing employee identification cards; (b) bank and credit card companies issuing credit, debit, or bank cards containing a person’s photograph; and (c) retail or wholesale stores issuing membership cards containing a person’s photograph.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Labeling nonofficial– identification cards will have an impact on teen drinking. Certain identification cards look very similar to official cards and have been used by minors in attempts to buy liquor. It is too easy for minors to get identification cards without having to prove their age or true identity to the maker of the card. Labeled cards will be easily identifiable by merchants, who don’t always look carefully at the identification cards, and police officers, who are sometimes presented with these cards when they ask someone for their identification cards. The bill needs to clarify whether the Liquor Control Board will be required to recognize all the official forms of identification listed in the bill.

Testimony Against: None.

Testified: Representative Sterk, prime sponsor; Linda Thompson, Greater Spokane Substance Abuse Council (pro); Doug Blair, Yakima County Sheriff and Washington Association of Sheriffs and Police Chiefs (pro); and Gary Gilbert (pro, with suggested amendments).