

SENATE BILL REPORT

ESHB 1243

As of March 26, 1997

Title: An act relating to driver's license and identicard security.

Brief Description: Enhancing security of identicards and drivers' licenses.

Sponsors: House Committee on Transportation Policy & Budget (originally sponsored by Representatives K. Schmidt, Hatfield, Skinner, Scott, Zellinsky, Fisher, O'Brien, Mitchell, Wood, Delvin, Smith, Robertson, Sterk, DeBolt, Radcliff, McMorris, Backlund, Cairnes, Mastin, Boldt, Ogden, L. Thomas, Hankins, Wensman, Johnson and Benson).

Brief History:

Committee Activity: Law & Justice: 3/27/97.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Lidia Mori (786-7755)

Background: Many government offices and private businesses rely upon the presentation of a driver's license or identicard to verify a person's identity. However, fraud is often perpetrated against both government and businesses by the use of fraudulent identification.

Washington State law provides that the Department of Licensing (DOL) "shall implement and use such process or processes in the preparation and issuance of drivers' licenses and identicards that prohibit as nearly as possible the alteration or reproduction of such cards, or the superimposing of other photographs on such cards, without ready detection" (Wash. Rev. Code 46.20.114).

The 1996 supplemental transportation budget required the Legislative Transportation Committee (LTC) to undertake a feasibility study to (1) identify technologies to improve the Washington State driver's license and identicard, particularly security enhancements; (2) develop an analysis of the attendant costs; and (3) recommend technologies and an implementation schedule for their incorporation.

The feasibility study was conducted under the direction of the LTC's Driver Document Working Group (DDWG), comprised of three members of the House Transportation Committee and three members of the Senate Transportation Committee. To aid its review, DDWG retained Q&A Consulting, a firm specializing in driver licensing, and Sterling Associates, a firm specializing in cost accounting, financial analysis and technology management. The final report of the consultants' findings and recommendations was issued in December. LTC adopted the recommendations detailed in the report at its December 4, 1996, meeting.

The recommendations include procurement of a new state driver's license and identicard that incorporates the following features:

(1) A central issuance system. The central issuance of driver's licenses requires that a licensee be given a temporary license at the issuance office and that the permanent license, which is produced at a central production site, be mailed to the licensee. Currently, DOL issues licenses instantly while the licensee waits.

(2) A digital imaging system. The digital imaging system allows a person's picture and signature images to be captured, displayed on a computer monitor, and stored on a database system. The image files can later be retrieved and used to make positive identification of a person who is applying for a duplicate license. Currently, DOL uses color photographic cameras and systems to produce driver's licenses, and maintains a negative file of all the pictures it takes. Many jurisdictions (28 states and seven Canadian provinces) use digital imaging to produce their licenses. Additionally, of those jurisdictions that do not use digital imaging, ten are in the process of converting to it.

(3) Machine-readable technologies. Machine readable technologies are codes that can be read by a computer for fast and accurate capture of data. Additionally, machine-readable technologies can verify the authenticity of a license by comparing the information displayed on the face of the license to that stored in the machine-readable feature. The study recommends that the new driver's license contain a magnetic stripe, one-dimensional bar code, and an encrypted two-dimensional bar code. Magnetic stripes, like those placed on most credit cards, are the most popular type of machine readable technology used by North American driver licensing agencies; presently, they are used by at least 23 jurisdictions. One-dimensional bar codes, like those commonly found on grocery items, are used by at least nine licensing jurisdictions. Two-dimensional (2-D) bar codes, which hold a large amount of data (1,000 bytes), are used by at least ten licensing jurisdictions. Of those states using the 2-D bar code, most store variable driver information (name, address, height, weight, etc.); others are also placing a black and white picture or signature in the code.

(4) An electronic finger image identification system. Finger imaging systems use the image of a person's finger tip to uniquely identify an applicant. This system will be designed to compare live finger scans to those stored in a database, to prevent the issuance of multiple licenses to the same person. A one-to-many finger image search, to determine if an applicant is enrolled in the system under a different name, will be conducted of each person applying for an original license or identicard, as well as for renewals or duplicates during the first four years of the system. Currently, the largest one-to-many finger imaging search applications are for law enforcement and departments of social services (to eliminate multiple enrollment for benefits). After the initial four-year implementation of the system, a one-to-one finger image search, matching the present finger scan to the image that was captured when that person was enrolled in the system, will be conducted of each person applying for a renewal or duplicate license or identicard.

(5) An optical variable device. The image and/or color change of an optical variable device helps to prevent fraudulent duplication because attempts at alteration are apparent via distortion or destruction of the license or identicard.

(6) A second picture of the card holder in ultraviolet ink. Digital printing enables the applicant's ultraviolet photo to be added to the license or identicard for presentation of information that is uniquely tied to the card holder.

Summary of Bill: In accordance with the recommendations in the *Feasibility Study of Driver's License Technologies*, by February 1, 1998, the Department of Licensing (DOL) must enter into a contract for the procurement of a new state driver's license and identicard. The contract provides for the incorporation of the following features (as described in the background section above): (1) a central issuance system; (2) a digital imaging system; (3) machine readable technologies (including a magnetic stripe, one-dimensional bar code, and a two-dimensional bar code); (4) a voluntary electronic finger image identification system; (5) a fusion optical variable device; and (6) a second picture of the card holder in ultraviolet ink.

Applicants for original, renewal or duplicate driver's licenses and identicards may submit to an electronic finger scan. Those applicants who decline to submit to an electronic finger scan must be issued a license or identicard that is clearly differentiated from a standard issue license or identicard.

Upon receipt of a court order that has been issued pursuant to a showing of probable cause to believe that the location of a fingerprint at a crime scene would suggest that the fingerprint could belong to the person who committed the crime, DOL must allow fingerprints found at a crime scene to be compared to DOL's finger image database. Additionally, a court may grant access to the database upon a showing of probable cause to believe that it will assist a government enforcement agency in identifying a missing, incapacitated or deceased person.

The fee for a driver's license is raised from \$14 to \$22. The fee for an identicard is raised from \$4 to \$10. Both the driver's license and identicard remain valid for four years.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 21, 1997.

Effective Date of Substitute Bill: The bill contains several effective dates. Please refer to the bill.