

# SENATE BILL REPORT

## SB 5262

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As Reported By Senate Committee On:  
Law & Justice, February 25, 1997

**Title:** An act relating to penalties for using drivers' licenses and identicards to commit fraud.

**Brief Description:** Strengthening penalties for using drivers' licenses and identicards to commit fraud.

**Sponsors:** Senators Roach, Haugen, Oke, Goings, Winsley and Schow.

**Brief History:**

**Committee Activity:** Law & Justice: 2/13/97, 2/25/97 [DPS, DNPS].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 5262 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Hargrove, Haugen, Long, McCaslin, Stevens and Zarelli.

**Minority Report:** Do not pass substitute.  
Signed by Senators Fairley and Kline.

**Staff:** Lidia Mori (786-7755)

**Background:** A driver's license or identicard provides an important tool by which the identity of a person is verified by law enforcement, retail establishments and financial institutions.

A person who applies for a driver's license or identicard must provide his or her name, date of birth, sex, Washington residence address and other information required by the Department of Licensing. There is concern that some people apply for a driver's license and provide the Department of Licensing with phony documentation. They exit with a phony driver's license and use it to open bogus bank accounts and commit fraud.

**Summary of Substitute Bill:** It is a gross misdemeanor to display any fictitious or fraudulently altered driver's license or identicard or to lend or permit the unlawful use of one's driver's license or identicard. It is also a gross misdemeanor to represent as one's own any driver's license or identicard not issued to that person or to fail or refuse to surrender to the Department of Licensing any driver's license or identicard which has been suspended, revoked or canceled.

It is a class C felony to use a false or fictitious name, knowingly make a false statement or conceal a material fact when applying for a driver's license or identicard. To counterfeit or

fraudulently alter a driver's license or identicard is also a class C felony. The felonies are ranked at a seriousness Level I.

**Substitute Bill Compared to Original Bill:** The original bill eliminates the application fee of \$5.00 for instruction permits that contain a photograph.

The offenses of using a false or fictitious name in an application for a driver's license and counterfeiting or fraudulently altering a driver's license are not ranked as to seriousness level in the original bill.

**Appropriation:** None.

**Fiscal Note:** Requested on February 11, 1997.

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

**Testimony For:** The Legislature is taking a comprehensive approach to problems with driver's licenses and this bill deals with the penalties. The state, as well as retailers, will save a lot of money thanks to this bill. People either counterfeit the driver's license or they counterfeit the documents used to obtain a driver's license. This bill specifically targets the bad guys and provides a penalty that is more than the current slap on the hand.

**Testimony Against:** None.

**Testified:** PRO: Tim Schellberg, WA Assn. of Sheriffs and Police Chiefs; D.J. Nessel, King County Police; Jeff Cox, WA Retail Assn., Coalition for Reliable Driver's Licenses; Debbie Schmidt, Dept. of Licensing (with concerns).