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**SUBSTITUTE HOUSE BILL 1212**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** House Committee on Transportation (originally sponsored by Representatives Eickmeyer, Clements, Mielke, Benson, Voloria, Haigh, O'Brien, Doumit, Murray, Anderson, Conway, Constantine, Fisher, Hatfield, Dunshee, H. Sommers and Kenney)

Read first time 01/28/1999.

1       AN ACT Relating to the extension of the validity of a driver's  
2 license that expires while the driver is outside the state or where the  
3 driver is a spouse or dependent child of a member of the armed forces;  
4 amending RCW 46.20.027, 46.20.116, and 46.20.120; creating a new  
5 section; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7       **Sec. 1.** RCW 46.20.027 and 1967 c 129 s 1 are each amended to read  
8 as follows:

9       A Washington state motor vehicle driver's license issued to any  
10 person serving in the armed forces of the United States, if valid and  
11 in force and effect while such person is serving in the armed forces,  
12 shall remain in full force and effect so long as such service continues  
13 unless the same is sooner suspended, canceled, or revoked for cause as  
14 provided by law and for not to exceed ninety days following the date on  
15 which the holder of such driver's license is honorably separated from  
16 service in the armed forces of the United States. A Washington state  
17 driver's license issued to the spouse or dependent child of such  
18 service member likewise remains in full force and effect if the person  
19 is residing with the service member.

1       **Sec. 2.** RCW 46.20.116 and 1993 c 452 s 2 are each amended to read  
2 as follows:

3       The department shall plainly label each license "not valid for  
4 identification purposes" where:

5       (1) The applicant is unable to prove his or her identity as  
6 provided in RCW 46.20.035; or

7       (2) The applicant is renewing his or her license by mail under RCW  
8 46.20.120 and the department does not have a digital (reproducible)  
9 photograph on file.

10       **Sec. 3.** RCW 46.20.120 and 1990 c 9 s 1 are each amended to read as  
11 follows:

12       (1) No new driver's license may be issued and no previously issued  
13 license may be renewed until the applicant therefor has successfully  
14 passed a driver licensing examination. However, the department may  
15 waive all or any part of the examination of any person applying for the  
16 renewal of a driver's license except when the department determines  
17 that an applicant for a driver's license is not qualified to hold a  
18 driver's license under this title. The department may also waive the  
19 actual demonstration of the ability to operate a motor vehicle by a  
20 person who surrenders a valid driver's license issued by the person's  
21 previous home state and who is otherwise qualified to be licensed. For  
22 a new license examination a fee of seven dollars shall be paid by each  
23 applicant, in addition to the fee charged for issuance of the license.  
24 A new license is one issued to a driver who has not been previously  
25 licensed in this state or to a driver whose last previous Washington  
26 license has been expired for more than four years.

27       (2) Any person renewing his or her driver's license more than sixty  
28 days after the license has expired shall pay a penalty fee of ten  
29 dollars in addition to the renewal fee under RCW 46.20.181. The  
30 penalty fee shall be deposited in the highway safety fund.

31       (3) Any person who is outside the state at the time his or her  
32 driver's license expires or who is unable to renew the license due to  
33 any incapacity may renew the license within sixty days after returning  
34 to this state or within sixty days after the termination of any such  
35 incapacity without the payment of the penalty fee.

36       (4) A person whose license expired or will expire on or after  
37 January 1, 1998, while he or she was or is living outside the state  
38 may:

1       (a) Apply to the department to extend the validity of his or her  
2 license for no more than twelve months. If the person establishes to  
3 the department's satisfaction that he or she is unable to return to  
4 Washington before the date his or her license expires, the department  
5 shall extend the person's license. The department may grant  
6 consecutive extensions, but in no event may the cumulative total of  
7 extensions exceed twelve months. An extension granted under this  
8 section does not change the expiration date of the license for purposes  
9 of RCW 46.20.181. The department shall charge a fee of five dollars  
10 for each license extension;

11       (b) Apply to the department to renew his or her license by mail.  
12 If the person establishes to the department's satisfaction that he or  
13 she is unable to return to Washington within twelve months of the date  
14 that his or her license expires, the department shall renew the  
15 person's license by mail. If a person qualifies for a mail-in renewal  
16 he or she is not required to pass an examination nor provide an updated  
17 photograph. He or she must, however, pay the fee required by RCW  
18 46.20.181 plus an additional five-dollar mail-in renewal fee. A  
19 license renewed by mail that does not include a photograph of the  
20 licensee must be labeled "not valid for identification purposes."

21       (5) If a person's driver's license is extended or renewed under  
22 subsection (4) of this section while he or she is outside the state, he  
23 or she must submit to the examination required under this section  
24 within sixty days of returning to this state. The department will not  
25 assess a penalty or examination fee for the examination.

26       (6) The department shall provide for giving examinations at places  
27 and times reasonably available to the people of this state.

28       NEW SECTION. Sec. 4. (1) If the driver's license of a spouse or  
29 dependent of a member of the armed forces expired between January 1,  
30 1998, and the effective date of this act and the department did not  
31 renew that person's license, the department shall:

32       (a) Renew that person's license if otherwise allowable under this  
33 chapter;

34       (b) Renew the license for an additional four-year term as otherwise  
35 provided under RCW 46.20.181; and

36       (c) Waive the late renewal fee authorized under RCW 46.20.120.

37       (2) The department shall waive the late renewal fee authorized  
38 under RCW 46.20.120 for drivers who qualify for license renewal or

1 extension under RCW 46.20.120(4) if the driver's license expired before  
2 the effective date of this act.

3 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and takes effect  
6 immediately.

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