

1 **SSB 5716 - H COMM AMD ADOPTED 4/14/03**

2 By Committee on Financial Institutions & Insurance

3 Strike everything after the enacting clause and insert the  
4 following:

5 "Sec. 1. RCW 46.20.0921 and 1990 c 210 s 3 are each amended to  
6 read as follows:

7 (1) It is a misdemeanor for any person:

8 ((+1)) (a) To display or cause or permit to be displayed or  
9 have in his or her possession any fictitious or fraudulently  
10 altered driver's license or identicard;

11 ((+2)) (b) To lend his or her driver's license or identicard  
12 to any other person or knowingly permit the use thereof by another;

13 ((+3)) (c) To display or represent as one's own any driver's  
14 license or identicard not issued to him or her;

15 ((+4)) (d) Willfully to fail or refuse to surrender to the  
16 department upon its lawful demand any driver's license or  
17 identicard which has been suspended, revoked or canceled;

18 ((+5)) (e) To use a false or fictitious name in any  
19 application for a driver's license or identicard or to knowingly  
20 make a false statement or to knowingly conceal a material fact or  
21 otherwise commit a fraud in any such application;

22 ((+6)) (f) To permit any unlawful use of a driver's license or  
23 identicard issued to him or her.

24 (2) It is a class C felony for any person to sell or deliver a  
25 stolen driver's license or identicard.

26 (3) It is unlawful for any person to manufacture, sell, or  
27 deliver a forged, fictitious, counterfeit, fraudulently altered, or  
28 unlawfully issued driver's license or identicard, or to  
29 manufacture, sell, or deliver a blank driver's license or  
30 identicard except under the direction of the department. A  
31 violation of this subsection is:

1       (a) A class C felony if committed (i) for financial gain or  
2 (ii) with intent to commit forgery, theft, or identity theft; or

3       (b) A gross misdemeanor if the conduct does not violate (a) of  
4 this subsection.

5       (4) Notwithstanding subsection (3) of this section, it is a  
6 misdemeanor for any person under the age of twenty-one to  
7 manufacture or deliver fewer than four forged, fictitious,  
8 counterfeit, or fraudulently altered driver's licenses or  
9 identicards for the sole purpose of misrepresenting a person's age.

10       (5) In a proceeding under subsection (2), (3), or (4) of this  
11 section that is related to an identity theft under RCW 9.35.020,  
12 the crime will be considered to have been committed in any locality  
13 where the person whose means of identification or financial  
14 information was appropriated resides, or in which any part of the  
15 offense took place, regardless of whether the defendant was ever  
16 actually in that locality."

**EFFECT:** 1)Makes the manufacture, sale, or delivery of a forged, fictitious, counterfeit, fraudulently altered, or unlawfully issued drivers license or identicard a class C felony only if done with the intent of obtaining financial gain or with the intent to commit forgery, theft or identity theft. Absent such intent, the offense is classified as a gross misdemeanor. 2)For persons under twenty-one years of age, the offense of manufacturing or delivering fewer than four forged, fictitious, counterfeit or fraudulently altered driver's licenses or identicards is classified as a misdemeanor, provided such manufacture or delivery is done for the sole purpose of enabling a person to misrepresent his or her age.