
HOUSE BILL 2592

State of Washington

58th Legislature

2004 Regular Session

By Representatives Clements, O'Brien, Hinkle, Hankins, Sump, Ericksen, Condotta, McMorris, Campbell, Delvin, Skinner, Holmquist, Kristiansen, Schoesler, Lovick, Roach, Cox, Woods, Moeller, Anderson, Newhouse, Rockefeller, Bush and Nixon

Read first time 01/16/2004. Referred to Committee on Transportation.

1 AN ACT Relating to ensuring the use of Washington state driver's
2 licenses for positive identification purposes; amending RCW 46.20.035;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington state
6 driver's licenses are useful for identification purposes and that an
7 applicant for a driver's license must meet strict identification
8 requirements in order to obtain a license. It is critical that the
9 true identity of persons who have been extended the privilege of
10 driving within the state of Washington can be positively identified by
11 their driver's licenses. The state has a compelling interest in
12 ensuring the identity of a person who is applying for a driver's
13 license, that someone who displays a driver's license is actually the
14 person indicated on the license, and that the person is in compliance
15 with the law. The legislature finds that this act is in the best
16 interest of the people of the state of Washington and is rationally
17 related to the legitimate goals of ensuring positive identification of
18 individuals in order to promote the health, safety, and well-being of
19 law enforcement officers and the public in general.

1 **Sec. 2.** RCW 46.20.035 and 1999 c 6 s 8 are each amended to read as
2 follows:

3 The department may not issue an identicard or a Washington state
4 driver's license that is valid for identification purposes unless the
5 applicant meets the identification requirements of subsection (1), (2),
6 or (3) of this section.

7 (1) A driver's license or identicard applicant must provide the
8 department with at least one of the following pieces of valid
9 identifying documentation that contains the signature and a photograph
10 of the applicant:

11 (a) A valid or recently expired driver's license or instruction
12 permit that includes the date of birth of the applicant;

13 (b) A Washington state identicard or an identification card issued
14 by another state;

15 (c) An identification card issued by the United States, a state, or
16 an agency of either the United States or a state, of a kind commonly
17 used to identify the members or employees of the government agency;

18 (d) A military identification card;

19 (e) A United States passport; or

20 (f) An Immigration and Naturalization Service form.

21 (2) An applicant who is a minor may establish identity by providing
22 an affidavit of the applicant's parent or guardian. The parent or
23 guardian must accompany the minor and display or provide:

24 (a) At least one piece of documentation in subsection (1) of this
25 section establishing the identity of the parent or guardian; and

26 (b) Additional documentation establishing the relationship between
27 the parent or guardian and the applicant.

28 (3) A person unable to provide identifying documentation as
29 specified in subsection (1) or (2) of this section may request that the
30 department review other available documentation in order to ascertain
31 identity. The department may waive the requirement if it finds that
32 other documentation clearly establishes the identity of the applicant.

33 (4) The form of an applicant's name, as established under this
34 section, must be the person's name of record for the purposes of this
35 chapter.

36 (5) If the applicant is unable to prove his or her identity under
37 this section, the department shall ~~((plainly label the license "not~~

1 ~~valid for identification purposes."~~) not issue an identicard or
2 Washington state driver's license.

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