

HOUSE BILL REPORT

ESHB 1289

As Passed House:

March 13, 2007

Title: An act relating to the issuance of enhanced drivers' licenses and identicards to facilitate crossing the Canadian border.

Brief Description: Authorizing the issuance of enhanced drivers' licenses and identicards to facilitate crossing the Canadian border.

Sponsors: By House Committee on Transportation (originally sponsored by Representatives Clibborn, Campbell, VanDeWege, Dickerson, Moeller and Morrell; by request of Department of Licensing).

Brief History:

Committee Activity:

Transportation: 2/15/07, 3/1/07 [DPS].

Floor Activity:

Passed House: 3/13/07, 94-2.

Brief Summary of Engrossed Substitute Bill

- Authorizes the Department of Licensing to issue enhanced drivers' licenses and identicards to facilitate crossing the Canadian border.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 26 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton, Armstrong, Campbell, Curtis, Dickerson, Eddy, Ericksen, Hailey, Hankins, Hudgins, Kristiansen, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

Staff: Teresa Berntsen (786-7301).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The federal Intelligence Reform and Terrorism Prevention Act of 2004 mandated that the Secretary of Homeland Security, in consultation with the Secretary of State, develop and implement a plan to require United States citizens and foreign nationals to present a passport or other secure document when entering the United States. In April 2005, the Departments of State and Homeland Security announced the Western Hemisphere Travel Initiative (Initiative), which will require individuals entering or re-entering the United States to present a passport or other acceptable secure identification. The identification requirements of the Initiative will take effect as early as January 1, 2008.

When announcing the Initiative, the Departments of State and Homeland Security identified the passport as the document of choice for entry or re-entry into the United States, but acknowledged that certain other documents might be acceptable in lieu of a passport.

Summary of Engrossed Substitute Bill:

The Department of Licensing (DOL) may enter into a memorandum of understanding with a federal agency to facilitate border crossing between Washington and British Columbia. The DOL may enter into an agreement with British Columbia to implement a border crossing initiative. The DOL may issue a voluntary, enhanced driver's license or identicard to an applicant who, in addition to meeting all other driver's license or identicard requirements, provides the DOL with proof of U.S. citizenship, identity, and state residency. The enhanced driver's license or identicard must include a one-to-many biometric matching system and reasonable security measures to protect privacy and provide safeguards against unauthorized data access.

The DOL must periodically review identity card security technologies and amend rules as appropriate to protect the privacy of Washington residents.

The DOL may release copies of photographs from enhanced driver's licenses and identicards to U.S. customs and border agents for the purposes of verifying identity.

The DOL must adopt rules and may set fees for the issuance of enhanced drivers' licenses and identicards.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately. However, the bill is null and void if not funded in the budget.

Staff Summary of Public Testimony:

(In support) This will provide a choice for crossing the Canadian border other than the expense of acquiring a passport. This is a pilot program that other states may be able to follow.

(Opposed) None.

Persons Testifying: Representative Clibborn, prime sponsor; and Liz Luce and Becky Loomis, Washington State Department of Licensing.

Persons Signed In To Testify But Not Testifying: None.