

# HOUSE BILL REPORT

## HB 2433

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### As Reported by House Committee On: Transportation

**Title:** An act relating to compliance with federal selective service requirements before the issuance of drivers' licenses and identicards.

**Brief Description:** Addressing compliance with federal selective service requirements before the issuance of drivers' licenses and identicards.

**Sponsors:** Representatives Haler and Clibborn.

#### **Brief History:**

##### **Committee Activity:**

Transportation: 1/13/10, 1/26/10 [DPS].

#### **Brief Summary of Substitute Bill**

- Requires that all male applicants for driver's licenses, instruction permits, intermediate licenses, and identicards be given the opportunity to register with the Selective Service System, and an applicant cannot be denied the requested document if the applicant declines to register.
- Requires the Department of Licensing (DOL) to forward any necessary personal information from an applicant to the Selective Service System and provide notice to the applicant in a specified form.
- Allows the DOL to provide Selective Service System registration information to applicants who decline to register.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives Clibborn, Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Campbell, Driscoll, Eddy, Ericksen, Finn, Flannigan, Herrera, Johnson, Klippert, Kristiansen, Nealey, Rolfes, Sells, Shea, Simpson, Springer, Takko and Wood.

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*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.*

**Minority Report:** Do not pass. Signed by 4 members: Representatives Liias, Vice Chair; Dickerson, Upthegrove and Williams.

**Staff:** David Munnecke (786-7315).

**Background:**

The federal Military Selective Service Act of 1948 requires virtually all men between the ages of 18 and 26 living in the United States, as well as male U.S. citizens between the ages of 18 and 26 living abroad, to register with the Selective Service System. Among the ways in which individuals can register are online, by mail, or by checking a box on the federal application for student aid.

Failure to register with the Selective Service System is a felony punishable by up to five years imprisonment, a maximum fine of \$250,000, or both. In addition to these criminal penalties, registration with the Selective Service System is required for men to remain eligible for federal student loans and grants, many federal jobs, certain job training benefits, and U.S. citizenship for male immigrants seeking citizenship.

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**Summary of Substitute Bill:**

All male applicants for driver's licenses, instruction permits, intermediate licenses, and identicards who are under the age of 26 must be given the opportunity to register with the Selective Service System as required by the Military Selective Service Act. An applicant who declines to register with the Selective Service System cannot be denied the requested document, as long as the applicant meets all of the other requirements to receive the requested document.

When an applicant does register with the Selective Service System, the Department of Licensing (DOL) is required to forward any necessary personal information from an applicant to the Selective Service System within 10 days of the receipt of the application. If the applicant is under the age of 18, the DOL is required to notify the applicant that he will be registered with the Selective Service System as required by federal law. In either case, the DOL is required to provide a notice containing specific language regarding the registration or the fact that the registration will occur when the applicant turns 18 years of age. The DOL is also allowed to provide Selective Service System registration information to applicants who decline to register with the system through the DOL.

A null and void clause requires funding to be provided in the Omnibus Transportation Act in order for the bill to take effect.

**Substitute Bill Compared to Original Bill:**

The language regarding an applicant's obligations under the act is modified to indicate that certain applicants must be given the opportunity to register with the Selective Service System. The language regarding applicants that decline to register with the Selective Service

System is expanded to indicate that the applicant is declining to register while applying for a driver's license, instruction permit, intermediate license, or identocard.

The language that the DOL must use when providing notice regarding registration with the Selective Service System is added to the statute, and the DOL is allowed to provide Selective Service System registration information to applicants who decline to register with the system through the DOL.

A null and void clause is added, which requires funding in the Omnibus Transportation Act in order for the act to take effect.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect on January 1, 2011. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony:**

(In support) The Selective Service System is there for times of emergency. All males between 18 and 26 years of age are required to register under federal law, and can only get out of the system if they are a conscientious objector or physically infirm. The responsibility to register is with the individual and not the DOL.

Currently, Washington's registration rate is only in the high 70 percent range, and other states that have implemented bills of this type have gone to a high 80 percent registration rate. There are 41 other states who have determined that this is an efficient and effective way to get people to register and preserve their rights. The bill is similar to the motor voter act in that it is a way to get people to undertake their obligations, and serves as a reminder to young men.

(Opposed) None.

**Persons Testifying:** Representative Haler, prime sponsor; and Terry Oxley, Selective Service System for Washington State.

**Persons Signed In To Testify But Not Testifying:** None.