
HOUSE BILL 3118

State of Washington 61st Legislature 2010 Regular Session

By Representatives Campbell, McCune, Klippert, Orcutt, Shea, Crouse, Kretz, Johnson, Ross, Angel, and Warnick

Read first time 01/25/10. Referred to Committee on Transportation.

1 AN ACT Relating to driver's license and instruction permit
2 applicants providing verification of their lawful presence in the
3 United States; amending RCW 46.20.091; and providing an effective date.

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

5 **Sec. 1.** RCW 46.20.091 and 2000 c 115 s 4 are each amended to read
6 as follows:

7 (1) **Application.** In order to apply for a driver's license or
8 instruction permit the applicant must provide his or her:

9 (a) Name of record, as established by documentation required under
10 RCW 46.20.035;

11 (b) Date of birth, as established by satisfactory evidence of age;

12 (c) Sex;

13 (d) Washington residence address;

14 (e) Description;

15 (f) Driving licensing history, including:

16 (i) Whether the applicant has ever been licensed as a driver or
17 chauffeur and, if so, (A) when and by what state or country; (B)
18 whether the license has ever been suspended or revoked; and (C) the
19 date of and reason for the suspension or revocation; or

1 (ii) Whether the applicant's application to another state or
2 country for a driver's license has ever been refused and, if so, the
3 date of and reason for the refusal; (~~and~~)

4 (g) Proof that is satisfactory to the department that the
5 applicant's presence in the United States is authorized under federal
6 law. The department shall not accept as such proof a driver's license
7 issued by another state if the state does not require that a driver
8 licensed in that state be lawfully present in the United States under
9 federal law. The department shall adopt rules necessary to carry out
10 the purposes of this subsection (1)(g), which must include procedures
11 for verifying that the applicant's presence in the United States is
12 authorized under federal law; and

13 (h) Any additional information required by the department.

14 (2) **Sworn statement.** An application for an instruction permit or
15 for an original driver's license must be made upon a form provided by
16 the department. The form must include a section for the applicant to
17 indicate whether he or she has received driver training and, if so,
18 where. The identifying documentation verifying the name of record must
19 be accompanied by the applicant's written statement that it is valid.
20 The information provided on the form must be sworn to and signed by the
21 applicant before a person authorized to administer oaths. An applicant
22 who makes a false statement on an application for a driver's license or
23 instruction permit is guilty of false swearing, a gross misdemeanor,
24 under RCW 9A.72.040.

25 (3) **Driving records from other jurisdictions.** If a person
26 previously licensed in another jurisdiction applies for a Washington
27 driver's license, the department shall request a copy of the
28 applicant's driver's record from the other jurisdiction. The driving
29 record from the other jurisdiction becomes a part of the driver's
30 record in this state.

31 (4) **Driving records to other jurisdictions.** If another
32 jurisdiction requests a copy of a person's Washington driver's record,
33 the department shall provide a copy of the record. The department
34 shall forward the record without charge if the other jurisdiction
35 extends the same privilege to the state of Washington. Otherwise the
36 department shall charge a reasonable fee for transmittal of the record.

1 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2010.

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