
HOUSE BILL 1041

State of Washington

63rd Legislature

2013 Regular Session

By Representative Haler

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1 AN ACT Relating to requiring proof of Washington residency for
2 driver's license and identicard issuance; and amending RCW 46.20.035,
3 46.20.091, and 46.20.161.

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

5 **Sec. 1.** RCW 46.20.035 and 2008 c 267 s 8 are each amended to read
6 as follows:

7 The department may not issue an identicard or a Washington state
8 driver's license that is valid for identification purposes unless the
9 applicant meets the identification requirements of subsections (1),
10 (2), or (3) and (7) of this section.

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

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

17 (b) A Washington state identicard or an identification card issued
18 by another state;

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

4 (d) A military identification card;

5 (e) A United States passport; or

6 (f) (~~An Immigration and Naturalization~~) A Citizenship and
7 Immigration Services form.

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

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

13 (b) Additional documentation establishing the relationship between
14 the parent or guardian and the applicant.

15 (3) A person unable to provide identifying documentation as
16 specified in subsection (1) or (2) of this section may request that the
17 department review other available documentation in order to ascertain
18 identity. The department may waive the requirement if it finds that
19 other documentation clearly establishes the identity of the applicant.
20 Notwithstanding the requirements in subsection (2) of this section, the
21 department shall issue an identicard to an applicant for whom it
22 receives documentation pursuant to RCW 74.13.283.

23 (4) An identicard or a driver's license that includes a photograph
24 that has been renewed by mail or by electronic commerce is valid for
25 identification purposes if the applicant met the identification
26 requirements of subsection (1), (2), or (3) of this section at the time
27 of previous issuance.

28 (5) The form of an applicant's name, as established under this
29 section, is the person's name of record for the purposes of this
30 chapter.

31 (6) If the applicant is unable to prove his or her identity under
32 this section, the department shall plainly label the license "not valid
33 for identification purposes."

34 (7)(a) An applicant must provide evidence of a valid principal
35 Washington residence address with an original, notarized, or certified
36 copy of any of the following:

37 (i) A utility bill;

38 (ii) A bank statement;

- 1 (iii) A paycheck;
- 2 (iv) A government check; or
- 3 (v) Other government document with a valid Washington residence
- 4 address.
- 5 (b) The department must, to the extent possible, authenticate the
- 6 address presented by the applicant.

7 **Sec. 2.** RCW 46.20.091 and 2000 c 115 s 4 are each amended to read
8 as follows:

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

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

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

14 (c) Sex;

15 (d) Principal Washington residence address and proof of the address
16 as required in RCW 46.20.035(7);

17 (e) Description;

18 (f) Driving licensing history, including:

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

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

26 (g) Any additional information required by the department.

27 (2) **Sworn statement.** An application for an instruction permit or
28 for an original driver's license must be made upon a form provided by
29 the department. The form must include a section for the applicant to
30 indicate whether he or she has received driver training and, if so,
31 where. The identifying documentation verifying the name of record must
32 be accompanied by the applicant's written statement that it is valid.
33 The information provided on the form must be sworn to and signed by the
34 applicant before a person authorized to administer oaths. An applicant
35 who makes a false statement on an application for a driver's license or
36 instruction permit is guilty of false swearing, a gross misdemeanor,
37 under RCW 9A.72.040.

1 (3) **Driving records from other jurisdictions.** If a person
2 previously licensed in another jurisdiction applies for a Washington
3 driver's license, the department shall request a copy of the
4 applicant's driver's record from the other jurisdiction. The driving
5 record from the other jurisdiction becomes a part of the driver's
6 record in this state.

7 (4) **Driving records to other jurisdictions.** If another
8 jurisdiction requests a copy of a person's Washington driver's record,
9 the department shall provide a copy of the record. The department
10 shall forward the record without charge if the other jurisdiction
11 extends the same privilege to the state of Washington. Otherwise the
12 department shall charge a reasonable fee for transmittal of the record.

13 **Sec. 3.** RCW 46.20.161 and 2000 c 115 s 6 are each amended to read
14 as follows:

15 (1) The department, upon receipt of a fee of twenty-five dollars,
16 unless the driver's license is issued for a period other than five
17 years, in which case the fee shall be five dollars for each year that
18 the license is issued, which includes the fee for the required
19 photograph, shall issue to every qualifying applicant a driver's
20 license. A driver's license issued to a person under the age of
21 eighteen is an intermediate license, subject to the restrictions
22 imposed under RCW 46.20.075, until the person reaches the age of
23 eighteen. The license must include a distinguishing number assigned to
24 the licensee, the name of record, date of birth, Washington residence
25 address, photograph, a brief description of the licensee, and either a
26 facsimile of the signature of the licensee or a space upon which the
27 licensee shall write his or her usual signature with pen and ink
28 immediately upon receipt of the license. No license is valid until it
29 has been so signed by the licensee.

30 (2) The department, when mailing the driver's license to a first
31 time applicant, must mail the driver's license to a valid Washington
32 address and may not mail the driver's license to an address outside the
33 state of Washington. For the purposes of this subsection, "first time
34 applicant" means a person applying for a driver's license in the state
35 of Washington for the first time who has not been previously issued a

1 driver's license by the department.

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