

1 On page 84, after line 7 of the amendment, insert the following:

2 "NEW SECTION. **Sec. 702.** A new section is added to chapter 46.20
3 RCW to read as follows:

4 (1) The department must implement a one-year pilot project
5 testing the cost and workload impacts of implementing the application
6 of the criteria required under the REAL ID Act of 2005 for persons
7 applying for a driver's license, identicard, agricultural driving
8 permit, and intermediate driver's license. Beginning July 1, 2016,
9 any person obtaining or renewing his or her driver's license,
10 driver's instruction permit, agricultural driving permit, identicard,
11 or intermediate license must show proof of his or her United States
12 citizenship or his or her lawful presence within the United States.
13 An original or renewal application must not be granted to any person
14 who does not provide verified proof of his or her United States
15 citizenship or his or her lawful presence within the United States. A
16 person who is a citizen or national of the United States, or who is a
17 legal permanent resident alien, must not be required to provide proof
18 under this subsection, so long as the department has a record of the
19 person's status in compliance with subsection (4) of this section.

20 (2) A person may prove his or her citizenship by providing a
21 valid, unexpired United States passport or passport card, a certified
22 copy of a birth certificate, a consular report of birth abroad issued
23 by the United States department of state, a certificate of
24 naturalization issued by the department of homeland security, or a
25 certificate of citizenship.

26 (3) A person may prove his or her lawful presence within the
27 United States by providing documentation that he or she is an alien:

28 (a) Lawfully admitted for permanent or temporary residence in the
29 United States;

30 (b) With conditional permanent resident status in the United
31 States;

1 (c) Who has an approved application for asylum in the United
2 States or has entered into the United States in refugee status;

3 (d) Who has a valid nonimmigrant status in the United States;

4 (e) Who has a pending application for asylum in the United
5 States;

6 (f) Who has a pending or approved application for temporary
7 protected status in the United States;

8 (g) Who has a pending application for lawful permanent residence
9 or conditional permanent resident status; or

10 (h) Who has approved deferred action status from a deferred
11 action program established before November 20, 2014. A person with
12 approved deferred action status from a program established before
13 November 1, 2014, that is based on any expansion of eligibility
14 criteria to the deferred action program that occurred after November
15 20, 2014, is not an acceptable form of lawful presence under this
16 subsection (3).

17 (4) The department must maintain records of an applicant's status
18 as a United States citizen or as a noncitizen, including the type of
19 document provided and the expiration of the applicant's authorization
20 to lawfully be within the United States. The department must make
21 such records available to the secretary of state and state and local
22 criminal justice agencies.

23 (5) The department must verify the status of an applicant through
24 either the systematic alien verification for entitlements program or
25 through verification of the applicant's social security number with
26 the United States social security administration.

27 (6) Any driver's license, driver's instruction permit,
28 agricultural driving permit, identicard, or intermediate license
29 issued to a person who has established lawful presence under
30 subsection (3) of this section expires at the same time as the
31 expiration date for the person's authorization to be in the United
32 States, but under no circumstances may the expiration date of the
33 license, identicard, or permit being issued by the department exceed
34 the maximum term provided in statute for each license, identicard, or
35 permit.

36 (7) The department may adopt rules to implement the pilot project
37 authorized in this section and to bring the state into compliance
38 with the REAL ID act of 2005, 49 U.S.C. Sec. 30301, as it existed on
39 January 1, 2015, or such subsequent date as may be provided by the
40 department by rule, consistent with the purposes of this section.

1 (8) This section expires July 1, 2017.

2 NEW SECTION. **Sec. 703.** A new section is added to chapter 46.20
3 RCW to read as follows:

4 (1) During the pilot project authorized in section 702 of this
5 act, any driver's license or other form of identification issued by a
6 state that accepts as proof of lawful presence an approved deferred
7 action status based on eligibility criteria that was established
8 after November 20, 2014, must not be considered a valid form of
9 identification in Washington state by the department. This
10 restriction also applies to drivers' licenses or other forms of
11 identification from states that accept as lawful presence an approved
12 deferred action status from a deferred action program that was
13 expanded after November 1, 2014.

14 (2) This section expires July 1, 2017.

15 NEW SECTION. **Sec. 704.** The following acts or parts of acts are
16 each repealed:

17 (1) RCW 43.41.390 (Implementation of federal REAL ID Act of 2005)
18 and 2007 c 85 s 1; and

19 (2) RCW 46.20.191 (Compliance with federal REAL ID Act of 2005
20 requirements) and 2007 c 85 s 2."

21 Renumber the remaining section consecutively and correct any
22 internal references accordingly.

ESHB 2524 - S AMD TO S AMD (S-5060.4/16) **746**
By Senator Benton

RULED BEYOND SCOPE 03/08/2016

23 On page 85, line 6 of the title amendment, after "(uncodified);"
24 strike all material through "(uncodified);" on line 7 and insert
25 "adding new sections to chapter 46.20 RCW; adding new sections to
26 2015 1st sp.s. c 10 (uncodified); repealing RCW 43.41.390 and
27 46.20.191;"

28 On page 85, line 9 of the title amendment, after "improvements;"
29 insert "providing expiration dates;"

EFFECT: Creates a one-year pilot project testing the cost and workload impacts of implementing the REAL ID Act in Washington. During the one-year pilot, requires an applicant to submit proof of his or her lawful presence in the United States with an application for an original or renewal of a driver's license, identicard, agricultural permit, and intermediate driver's license. Directs DOL to adopt rules to bring the state into compliance with the REAL ID Act of 2005. Repeals the statutes prohibiting DOL from expending any funds to implement the REAL ID Act of 2005.

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