

**HB 2440 - H AMD 1674**

By Representatives Kilduff, Davis, Schmick

**ADOPTED 02/19/2020**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the health and  
4 safety of the traveling public, law enforcement, and emergency  
5 medical service providers are enhanced by the voluntary sharing of  
6 information about medical conditions, including deafness and  
7 developmental disabilities. Licensed drivers and applicants who wish  
8 to voluntarily include a medical alert designation on their driver's  
9 license can provide law enforcement and emergency medical service  
10 providers with the opportunity to know at the point of contact or  
11 shortly thereafter that there is a medical condition which could  
12 affect communication or account for a driver health emergency. By  
13 taking action in accordance with existing driver privacy protections,  
14 the legislature seeks to enhance health and public safety by the  
15 voluntary provision and careful use of this information.

16 **Sec. 2.** RCW 46.20.117 and 2018 c 157 s 2 are each amended to  
17 read as follows:

18 (1) **Issuance.** The department shall issue an identicard,  
19 containing a picture, if the applicant:

20 (a) Does not hold a valid Washington driver's license;

21 (b) Proves his or her identity as required by RCW 46.20.035; and

22 (c) Pays the required fee. Except as provided in subsection  
23 (~~((5))~~) (7) of this section, the fee is fifty-four dollars, unless an  
24 applicant is:

25 (i) A recipient of continuing public assistance grants under  
26 Title 74 RCW, who is referred in writing by the secretary of social  
27 and health services;

28 (ii) Under the age of eighteen and does not have a permanent  
29 residence address as determined by the department by rule; or

30 (iii) An individual who is scheduled to be released from an  
31 institution as defined in RCW 13.40.020, a community facility as

1 defined in RCW 72.05.020, or other juvenile rehabilitation facility  
2 operated by the department of social and health services or the  
3 department of children, youth, and families; or an individual who has  
4 been released from such an institution or facility within thirty  
5 calendar days before the date of the application.

6 For those persons under (c)(i) through (iii) of this subsection,  
7 the fee must be the actual cost of production of the identicard.

8 (2)(a) **Design and term.** The identicard must:

9 (i) Be distinctly designed so that it will not be confused with  
10 the official driver's license; and

11 (ii) Except as provided in subsection ~~((5))~~ (7) of this  
12 section, expire on the sixth anniversary of the applicant's birthdate  
13 after issuance.

14 (b) The identicard may include the person's status as a veteran,  
15 consistent with RCW 46.20.161~~((2))~~ (4).

16 (c) If applicable, the identicard may include a medical alert  
17 designation as provided in subsection (5) of this section.

18 (3) **Renewal.** An application for identicard renewal may be  
19 submitted by means of:

20 (a) Personal appearance before the department; or

21 (b) Mail or electronic commerce, if permitted by rule of the  
22 department and if the applicant did not renew his or her identicard  
23 by mail or by electronic commerce when it last expired.

24 An identicard may not be renewed by mail or by electronic  
25 commerce unless the renewal issued by the department includes a  
26 photograph of the identicard holder.

27 (4) **Cancellation.** The department may cancel an identicard if the  
28 holder of the identicard used the card or allowed others to use the  
29 card in violation of RCW 46.20.0921.

30 (5) Any person may apply to the department to obtain a medical  
31 alert designation, a developmental disability designation, or a  
32 deafness designation on an identicard issued under this chapter by  
33 providing:

34 (a) Self-attestation that the individual:

35 (i) Has a medical condition that could affect communication or  
36 account for a health emergency;

37 (ii) Is deaf or hard of hearing; or

38 (iii) Has a developmental disability as defined in RCW  
39 71A.10.020;

1 (b) A statement from the person that they have voluntarily  
2 provided the self-attestation and other information verifying the  
3 condition; and

4 (c) For persons under eighteen years of age or who have a  
5 developmental disability, the signature of a parent or legal  
6 guardian.

7 (6) A self-attestation or data contained in a self-attestation  
8 provided under this section:

9 (a) Shall not be disclosed; and

10 (b) Is for the confidential use of the director, the chief of the  
11 Washington state patrol, and for law enforcement and emergency  
12 medical service providers as designated by law.

13 (7) **Alternative issuance/renewal/extension.** The department may  
14 issue or renew an identicard for a period other than six years, or  
15 may extend by mail or electronic commerce an identicard that has  
16 already been issued, in order to evenly distribute, as nearly as  
17 possible, the yearly renewal rate of identicard holders. The fee for  
18 an identicard issued or renewed for a period other than six years, or  
19 that has been extended by mail or electronic commerce, is nine  
20 dollars for each year that the identicard is issued, renewed, or  
21 extended. The department may adopt any rules as are necessary to  
22 carry out this subsection.

23 **Sec. 3.** RCW 46.20.161 and 2018 c 69 s 1 are each amended to read  
24 as follows:

25 (1) The department, upon receipt of a fee of forty-five dollars  
26 from October 1, 2012, to June 30, 2013, and fifty-four dollars after  
27 June 30, 2013, unless the driver's license is issued for a period  
28 other than five years from October 1, 2012, to June 30, 2013, or six  
29 years after June 30, 2013, in which case the fee shall be nine  
30 dollars for each year that the license is issued, which includes the  
31 fee for the required photograph, shall issue to every qualifying  
32 applicant a driver's license. A driver's license issued to a person  
33 under the age of eighteen is an intermediate license, subject to the  
34 restrictions imposed under RCW 46.20.075, until the person reaches  
35 the age of eighteen.

36 (2) The license must include:

37 (a) A distinguishing number assigned to the licensee((~~7~~));

38 (b) The name of record((~~7~~));

39 (c) Date of birth((~~7~~));

1 (d) Washington residence address ~~((τ))~~ ;  
2 (e) Photograph ~~((τ))~~ ;  
3 (f) A brief description of the licensee ~~((τ))~~ ;  
4 (g) Either a facsimile of the signature of the licensee or a  
5 space upon which the licensee shall write his or her usual signature  
6 with pen and ink immediately upon receipt of the license ~~((τ and τ))~~ ;  
7 (h) If applicable, the person's status as a veteran as provided  
8 in subsection ~~((2))~~ (4) of this section; and  
9 (i) If applicable, a medical alert designation as provided in  
10 subsection (5) of this section.

11 (3) No license is valid until it has been ~~((se))~~ signed by the  
12 licensee.

13 ~~((2))~~ (4)(a) A veteran, as defined in RCW 41.04.007, or an  
14 individual who otherwise meets the criteria of RCW 41.04.007 but who  
15 has received a general discharge under honorable conditions, may  
16 apply to the department to obtain a veteran designation on a driver's  
17 license issued under this section by providing:

18 ~~((a))~~ (i) A United States department of veterans affairs  
19 identification card or proof of service letter;

20 ~~((b))~~ (ii) A United States department of defense discharge  
21 document, DD Form 214 or DD Form 215, as it exists on June 7, 2018,  
22 or such subsequent date as may be provided by the department by rule,  
23 consistent with the purposes of this section, or equivalent or  
24 successor discharge paperwork, that shows a discharge status of  
25 "honorable" or "general under honorable conditions" that establishes  
26 the person's service in the armed forces of the United States;

27 ~~((c))~~ (iii) A national guard state-issued report of separation  
28 and military service, NGB Form 22, as it exists on June 7, 2018, or  
29 such subsequent date as may be provided by the department by rule,  
30 consistent with the purposes of this section, or equivalent or  
31 successor discharge paperwork, that shows a discharge status of  
32 "honorable" or "general under honorable conditions" that establishes  
33 the person's active duty or reserve service in the national guard; or

34 ~~((d))~~ (iv) A United States uniformed services identification  
35 card, DD Form 2, that displays on its face that it has been issued to  
36 a retired member of any of the armed forces of the United States,  
37 including the national guard and armed forces reserves.

38 (b) The department may permit a veteran, as defined in RCW  
39 41.04.007, or an individual who otherwise meets the criteria of RCW  
40 41.04.007 but who has received a general discharge under honorable

1 conditions, to submit an alternate form of documentation to apply to  
2 obtain a veteran designation on a driver's license, as specified by  
3 rule, that requires a discharge status of "honorable" or "general  
4 under honorable conditions" and that establishes the person's service  
5 as required under RCW 41.04.007.

6 (5) Any person may apply to the department to obtain a medical  
7 alert designation, a developmental disability designation, or a  
8 deafness designation on a driver's license issued under this chapter  
9 by providing:

10 (a) Self-attestation that the individual:

11 (i) Has a medical condition that could affect communication or  
12 account for a driver health emergency;

13 (ii) Is deaf or hard of hearing; or

14 (iii) Has a developmental disability as defined in RCW  
15 71A.10.020;

16 (b) A statement from the person that they have voluntarily  
17 provided the self-attestation and other information verifying the  
18 condition; and

19 (c) For persons under eighteen years of age or who have a  
20 developmental disability, the signature of a parent or legal  
21 guardian.

22 (6) A self-attestation or data contained in a self-attestation  
23 provided under this section:

24 (a) Shall not be disclosed;

25 (b) Is for the confidential use of the director, the chief of the  
26 Washington state patrol, and for law enforcement and emergency  
27 medical service providers as designated by law; and

28 (c) Is subject to the privacy protections of the driver's privacy  
29 protection act, 18 U.S.C. Sec. 2725.

30 NEW SECTION. Sec. 4. This act takes effect January 1, 2022."

31 Correct the title.

EFFECT: Adds individuals who are deaf or hard of hearing or who have a developmental disability to those eligible for a medical alert designation on a driver's license or identicard. Individuals who apply for a medical alert designation must provide self-attestation of the condition, rather than certification from a licensed health professional, to obtain the designation. Adds individuals with developmental disabilities to those who must also provide a signature

of a parent or legal guardian to be eligible. Changes the effective date from July 1, 2020, to January 1, 2022.

--- **END** ---