

HOUSE BILL REPORT

EHB 2440

As Passed House:
February 19, 2020

Title: An act relating to a medical alert designation on driver's licenses.

Brief Description: Concerning a medical alert designation on driver's licenses and identicards.

Sponsors: Representatives Kilduff, Lovick, Chapman, Orwall, Rude, Leavitt, Santos, Pollet and Wylie.

Brief History:

Committee Activity:

Transportation: 2/3/20, 2/11/20 [DP].

Floor Activity:

Passed House: 2/19/20, 98-0.

Brief Summary of Engrossed Bill

- Provides a medical alert designation, developmental disability designation, or a deafness designation on a driver's license or identicard, if applicable.
- Allows any person to obtain an applicable designation on a driver's license or identicard by voluntarily providing self-attestation that the individual has an eligible medical condition; and a signature of a parent or legal guardian for applicants who have a developmental disability or are under the age of 18.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 28 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Doglio, Duerr, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Ramos, Riccelli, Shewmake, Van Werven and Volz.

Minority Report: Without recommendation. Signed by 2 members: Representatives Young, Assistant Ranking Minority Member; Dufault.

Staff: Christine Thomas (786-7142).

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.

Background:

For a fee, the Department of Licensing (DOL) issues several forms of identification to state residents, including driver's licenses and identicards that are valid for up to six years to every qualifying applicant. A driver's license must include a distinguishing number assigned to the licensee; the name of record; date of birth; photograph; a signature; and, if applicable, a veteran's designation. To receive an identicard from the DOL, applicants must not have a valid Washington driver's license, prove their identity by providing certain types of documentation that include a photograph and their signature. The design of an identicard must be distinguishable from a driver's license but may also include a veteran's designation, if applicable.

Summary of Engrossed Bill:

The DOL must include an applicable medical alert designation on a driver's license or identicard indicating that the applicant has provided information to the DOL identifying an eligible medical condition. Any person may apply to obtain a medical alert designation, a developmentally disabled designation, or a deafness designation on a driver's license or identicard by providing: (a) self-attestation verifying that the individual: (1) has a medical condition that could affect communication or account for a health emergency; (2) is deaf or hard of hearing; or (3) has a developmental disability; (b) a statement from the person that they have voluntarily provided the self-attestation and other information verifying the condition; and (c) a signature of a parent or legal guardian for applicants who have a developmental disability or are under the age of 18. For driver's licenses, the self-attestation is subject to the privacy protections of the federal Driver's Privacy Protection Act. The self-attestation, for both driver's licenses and identicards, is not disclosable and is for the confidential use of the Director of the DOL, the Chief of the Washington State Patrol, law enforcement, and emergency medical service providers.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2022.

Staff Summary of Public Testimony:

(In support) The moment of contact between law enforcement officers and emergency medical service providers and drivers is critical to the outcome of the interaction. Voluntarily providing information via a designation on the drivers license affects communication, but also alerts law enforcement officers that there is a condition that could account for a health emergency. The certification provided for a medical alert designation must be provided voluntarily and signed by a licensed health professional. The bill is clear about the driver's right to privacy per federal law. Having a medical alert identifier could be the needed missing link when the driver's license is provided to heighten awareness around the need for certain communication or the need for medical attention.

(Opposed) None.

(Other) More information to law enforcement officers helps people remain safe, both the individuals as well as the officers. This bill should be coordinated with the Travis Alert Act to ensure that officers can look up a name through their computer systems and discover the medical condition of the individual.

Persons Testifying: (In support) Representative Kilduff, prime sponsor; Diana Stadden, The Arc of Washington State; and Donna Patrick, Developmental Disabilities Council.

(Other) James McMahan, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: None.