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SENATE BILL 5087

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Haugen, Swecker and Murray

Read first time 01/10/2007. Referred to Committee on Transportation.

1            AN ACT Relating to compliance with the federal REAL ID Act of 2005;  
2 adding a new section to chapter 43.41 RCW; and adding new sections to  
3 chapter 46.20 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.41 RCW  
6 to read as follows:

7            A state agency or program may not expend funds to implement or  
8 comply with the REAL ID Act of 2005, P.L. 109-13, unless: (1) The  
9 requirements of section 2 of this act are met; and (2) federal funds  
10 are received by the state of Washington and are (a) allocated to fund  
11 the implementation of the REAL ID Act of 2005 in the state, and (b) in  
12 amounts sufficient to cover the costs of the state implementing or  
13 complying with the REAL ID Act of 2005, as those costs are estimated by  
14 the office of financial management. The director of the office of  
15 financial management shall ensure compliance with this section.

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

18            Before issuing a driver's license or identicard that complies with

1 the requirements of the REAL ID Act of 2005, P.L. 109-13, and before  
2 storing or including data about Washington state residents in any  
3 database, records facility, or computer system that meets the  
4 requirements of the REAL ID Act of 2005, the department of licensing  
5 shall certify that the driver's license, identicard, database, records  
6 facility, computer system, and the department's personnel screening and  
7 training procedures: (1) Include all reasonable security measures to  
8 protect the privacy of Washington state residents; (2) include all  
9 reasonable safeguards to protect against unauthorized disclosure of  
10 data; and (3) do not place unreasonable costs or recordkeeping burdens  
11 on a driver's license or identicard applicant.

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

14 (1) The department of licensing and the office of financial  
15 management may analyze the costs and burdens to the state of  
16 Washington, and to applicants of drivers' licenses or identicards, of  
17 complying with the requirements of the REAL ID Act of 2005, P.L. 109-  
18 13, and any related federal regulations.

19 (2) The attorney general may, with approval of the governor,  
20 challenge the legality or constitutionality of the REAL ID Act of 2005.

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