



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 25, 2018

TIME: 7:19 AM

WSR 18-10-030

Agency: Department of Licensing

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) May 19, 2018 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain: This rule needs to take effect before 31 days after filing as a condition of RCW 34.05.380(3)(c). This rule was adopted as an emergency order under WSR 18-03-117 and is set to expire May 19, 2018. Without adoption of the rule change ending the Department's collection of an applicant's place of birth, there is a risk that collection of information that does not prove identity and establishes a Washington resident's national origin could be lawfully obtained by federal law enforcement agencies for federal immigration enforcement purposes, or otherwise could be used to discriminate against a person based on national origin. See Governor's Executive Order, 17-01.

Purpose: The Department's current regulations require an applicant for a driver's license to provide the applicant's place of birth. A person's place of birth is not necessary for ascertaining a person's identity and should be removed. This adopted language will permanently update the Department's policy and procedures for processing applications for driver licenses, identification cards, and instruction permits.

Citation of rules affected by this order:

New:

Repealed:

Amended: 308-104-014 Application for driver's license or identicard.

Suspended:

Statutory authority for adoption: RCWs 46.01.110 & 46.20.119

Other authority: Executive Order 17-01

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-07-007 on March 9, 2018 (date).

Describe any changes other than editing from proposed to adopted version: There are no changes from the proposed to adopted version.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: April 25, 2018

Name: Damon Monroe

Title: Rules Coordinator

Signature:

