

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5087**

60th Legislature  
2007 Regular Session

Passed by the Senate March 5, 2007  
YEAS 41 NAYS 4

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**President of the Senate**

Passed by the House April 5, 2007  
YEAS 95 NAYS 2

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5087** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5087**

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Passed Legislature - 2007 Regular Session

**State of Washington                      60th Legislature                      2007 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by  
Senators Haugen, Swecker and Murray)

READ FIRST TIME 01/31/07.

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

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

15 (1) The department of licensing and the office of financial  
16 management may analyze the costs and burdens to the state of  
17 Washington, and to applicants of drivers' licenses or identicards, of  
18 complying with the requirements of the REAL ID Act of 2005, P.L. 109-  
19 13, and any related federal regulations.

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

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