
SENATE BILL 5878

State of Washington 61st Legislature 2009 Regular Session

By Senators Sheldon, Marr, and Shin; by request of Department of Licensing

Read first time 02/05/09. Referred to Committee on Transportation.

1 AN ACT Relating to criminal history record checks of current and
2 prospective department of licensing employees who issue or may issue
3 enhanced drivers' licenses and identicards; and amending RCW 46.01.130.

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

5 **Sec. 1.** RCW 46.01.130 and 1979 c 158 s 121 are each amended to
6 read as follows:

7 (1) The department of licensing shall have the general supervision
8 and control of the issuing of vehicle licenses and vehicle license
9 number plates and shall have the full power to do all things necessary
10 and proper to carry out the provisions of the law relating to the
11 licensing of vehicles; the director shall have the power to appoint and
12 employ deputies, assistants and representatives, and such clerks as may
13 be required from time to time, and to provide for their operation in
14 different parts of the state, and the director shall have the power to
15 appoint the county auditors of the several counties as ~~((his))~~ the
16 director's agents for the licensing of vehicles.

17 (2)(a) The director shall investigate the conviction records and
18 pending charges of any current employee of or prospective employee

1 being considered for any position with the department that has or will
2 have:

3 (i) The ability to create or modify records of applicants for
4 enhanced drivers' licenses and identicards issued under RCW 46.20.202;
5 and

6 (ii) The ability to issue enhanced drivers' licenses and
7 identicards under RCW 46.20.202.

8 (b) The investigation consists of a background check as authorized
9 under RCW 10.97.050, 43.43.833, and 43.43.834, and the federal bureau
10 of investigation. The background check must be conducted through the
11 Washington state patrol criminal identification section and may include
12 a national check from the federal bureau of investigation, which is
13 through the submission of fingerprints. The director shall use the
14 information solely to determine the character, suitability, and
15 competence of current or prospective employees subject to this section.

16 (c) The director shall investigate the conviction records and
17 pending charges of an employee subject to this subsection every five
18 years.

19 (d) Criminal justice agencies shall provide the director with
20 information that they may possess and that the director may require
21 solely to determine the employment suitability of current or
22 prospective employees subject to this section.

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