

HOUSE BILL REPORT

SSB 6330

*As Reported By House Committee on:
Judiciary*

Title: An act relating to driving while license suspended or revoked.

Brief Description: Concerning the operation of a motor vehicle while license is suspended or revoked.

Sponsor(s): By Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen, Bauer, McCaslin, Oke and Roach).

Brief History:

Reported by House Committee on:
Judiciary, February 28, 1992, DP.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass.* Signed by 19 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Bill Perry (786-7123).

Background: In 1991, upon the recommendation of a task force composed of judges, prosecutors, attorneys, the state patrol, and the Department of Licensing, the Legislature enacted a statute that restructured the various crimes of driving with a suspended or revoked license into three categories of severity.

The first-degree crime is a gross misdemeanor with mandatory minimum penalties that escalate with repeat offenses. The second-degree crime is also a gross misdemeanor but without the mandatory minimum penalties. This crime involves driving with a suspended license and not being eligible for reinstatement. The third-degree crime is a misdemeanor and involves driving with a suspended license because of failure to get alcohol or drug treatment or failure to furnish financial responsibility.

The task force intended that the third-degree crime would also include a person who was driving while suspended but while eligible to be reinstated. However, this provision is not explicitly included in the statute.

Summary of Bill: The statute which sets forth the penalties for driving with a suspended or revoked license is clarified for crimes in the third degree. A person who drives while suspended or revoked, but who is eligible for reinstatement, is guilty of the crime of driving while license suspended or revoked in the third degree, a misdemeanor.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill clarifies the intent of last year's legislation and closes a loophole.

Testimony Against: None.

Witnesses: Judge Robert McBeth, Washington State District and Municipal Court Judges Association (in favor).