

SENATE BILL REPORT

HB 1182

AS OF MARCH 19, 1991

Brief Description: Restructuring penalties for driving while suspended.

SPONSORS: Representatives Wineberry, Padden, Van Luven, Riley, Orr and Rasmussen.

HOUSE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Richard Rodger (786-7461)

Hearing Dates: March 26, 1991

BACKGROUND:

State law contains a variety of crimes related to driving without a license. These crimes vary both as to the way in which they may be committed and as to the way they may be punished. Generally, punishments are more severe for repeat offenders, and for offenders who are driving while they have already had their licenses suspended or revoked for previous offenses.

A task force of judges, prosecutors, defense attorneys, the State Patrol and the Department of Licensing has recommended some restructuring of the statutes relating to driving without a license.

SUMMARY:

The crime of driving with a suspended or revoked license is restructured into three degrees.

The first-degree crime is a gross misdemeanor with mandatory minimum penalties that escalate with repeat offenses and that may not be suspended or deferred. The crime involves driving without a license when the driver has already been found to be an habitual offender.

The second-degree crime is also a gross misdemeanor, but without the mandatory minimum penalties of the first-degree crime. This degree of the crime involves driving while a license has been suspended or revoked for various offenses, other than being found to be an habitual offender. This degree does not cover instances in which a driver is apprehended after the period of suspension or revocation has passed but before the driver's license has been reinstated.

The third-degree crime is a misdemeanor without mandatory minimum penalties. This degree of the crime involves driving without a license following a period of suspension or revocation but before the driver has had his or her license reinstated.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: Section 9 takes effect April 1, 1992.