

2 **SHB 2906** - H AMD TO H AMD (H-4293.2/94) **1168 LOST 2-21-94**

3 By Representative Sheahan

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5 On page 136, after line 23 of the amendment, insert the following:

6 "Sec. 735. RCW 13.32A.250 and 1990 c 276 s 16 are each amended to
7 read as follows:

8 (1) In all alternative residential placement proceedings and at-
9 risk youth proceedings, the court shall verbally notify the parents and
10 the child of the possibility of a finding of contempt for failure to
11 comply with the terms of a court order entered pursuant to this
12 chapter. The court shall treat the parents and the child equally for
13 the purposes of applying contempt of court processes and penalties
14 under this section.

15 (2) Failure by a party to comply with an order entered under this
16 chapter is a contempt of court as provided in chapter 7.21 RCW, subject
17 to the limitations of subsections ~~((+2))~~ (3), (4), and (6) of this
18 section.

19 (3) The court may impose a fine of up to one hundred dollars and
20 imprisonment for up to seven days, or both for contempt of court under
21 this section.

22 (4) A child imprisoned for contempt under this section shall be
23 imprisoned only in a secure juvenile detention facility operated by or
24 pursuant to a contract with a county.

25 (5) A motion for contempt may be made by a parent, a child,
26 juvenile court personnel, or by any public agency, organization, or
27 person having custody of the child under a court order adopted pursuant
28 to this chapter.

29 (6) In addition to the penalties provided in this section, the
30 court shall notify the department of licensing that the juvenile is in
31 contempt of the order and that the juvenile's driving privileges should
32 be revoked. For the first violation of the order, the juvenile may not
33 petition the court for reinstatement of the juvenile's privilege to
34 drive until ninety days after the day the juvenile turns sixteen or
35 ninety days after the judgment was entered, whichever is later. For
36 second and subsequent violations the child may not petition the court

1 for reinstatement of the privilege to drive until the date the juvenile
2 turns seventeen or one year after the date the judgment was entered,
3 whichever is later. The court shall notify the department of licensing
4 within twenty-four hours after entry of the finding of contempt.

5 **Sec. 736.** RCW 46.20.265 and 1991 c 260 s 1 are each amended to
6 read as follows:

7 (1) In addition to any other authority to revoke driving privileges
8 under this chapter, the department shall revoke all driving privileges
9 of a juvenile when the department receives notice from a court
10 (~~pursuant to~~) under RCW 13.32A.250, 13.40.265, 66.44.365, 69.41.065,
11 69.50.420, 69.52.070, or a substantially similar municipal ordinance
12 adopted by a local legislative authority, or from a diversion unit
13 pursuant to RCW 13.40.265. The revocation shall be imposed without
14 hearing.

15 (2) The driving privileges of the juvenile revoked under subsection
16 (1) of this section shall be revoked in the following manner:

17 (a) Upon receipt of the first notice, the department shall impose
18 a revocation for one year, or until the juvenile reaches seventeen
19 years of age, whichever is longer.

20 (b) Upon receipt of a second or subsequent notice, the department
21 shall impose a revocation for two years or until the juvenile reaches
22 eighteen years of age, whichever is longer.

23 (3) If the department receives notice from a court that the
24 juvenile's privilege to drive should be reinstated, the department
25 shall immediately reinstate any driving privileges that have been
26 revoked under this section.

27 (4)(a) If the department receives notice pursuant to RCW
28 13.40.265(2)(b) from a diversion unit that a juvenile has completed a
29 diversion agreement for which the juvenile's driving privileges were
30 revoked, the department shall reinstate any driving privileges revoked
31 under this section as provided in (b) of this subsection.

32 (b) If the diversion agreement was for the juvenile's first
33 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the department
34 shall not reinstate the juvenile's privilege to drive until the later
35 of ninety days after the date the juvenile turns sixteen or ninety days
36 after the juvenile entered into a diversion agreement for the offense.
37 If the diversion agreement was for the juvenile's second or subsequent
38 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the department

1 shall not reinstate the juvenile's privilege to drive until the later
2 of the date the juvenile turns seventeen or one year after the juvenile
3 entered into the second or subsequent diversion agreement."

4 Renumber the remaining sections consecutively and correct internal
5 references accordingly.

6 EFFECT: Driving privileges will be revoked if the court finds a
7 child in contempt for violating the court's alternative residential
8 placement order or at-risk youth proceeding order.

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