

HOUSE BILL REPORT

HB 1100

As Reported By House Committee On:

Law & Justice

Title: An act relating to notice of actions against a juvenile's driver's license.

Brief Description: Notifying parents of their children's driver's license suspensions.

Sponsors: Representatives Scott, Appelwick, Padden, Honeyford, Brumsickle, Silver, Campbell, Mitchell, Hickel, Costa and Sherstad.

Brief History:

Committee Activity:

Law & Justice: 2/3/95, 2/15/95 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Edie Adams (786-7180).

Background: Under the motor vehicle title, the Department of Licensing must revoke a person's driver's license if the licensee was convicted of any specified offense, including: vehicular homicide, vehicular assault, a second conviction within five years for driving while under the influence of an intoxicating liquor or drug, any felony committed with a motor vehicle, and a third conviction for reckless driving within a two-year period.

A person's driver's license may be suspended for a number of reasons, including: reckless or unauthorized use of a vehicle which results in injury or death to another, frequent violations of traffic regulations indicating disregard for safety of others, failure to respond to a notice of a traffic infraction, or failure to appear at a requested hearing, and display or use of a fraudulent driver's license.

In addition, a juvenile's driving privileges must be revoked if the department receives notice from a court that the juvenile committed any specified offense, including:

unlawful possession of a firearm, the commission of an offense with a firearm, and any alcohol or drug offenses.

The department may suspend, revoke, restrict or condition the driver's license of any licensee who has been found by a juvenile court, chief probation officer, or any other juvenile court officer to have committed any offense or offenses which under the motor vehicle title constitute grounds for such action.

Summary of Substitute Bill: If the Department of Licensing takes any action under Title 46 to suspend, revoke, restrict, or condition the driver's license of an unemancipated person under 18 years of age, the department shall mail a notice of the action to the unemancipated person's parent, parents, or guardian residing at the same address as the minor.

Substitute Bill Compared to Original Bill: The substitute bill requires notice to the parent or guardian for all actions taken against the driver's license of a minor, not just those actions taken pursuant to convictions in juvenile court. The substitute bill deletes the requirement that the notice be sent by certified mail and allows the notice to be sent to the parents or guardian at the address of the minor.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill is needed to deal with the problem of minors who have had their license suspended or revoked but have not informed their parents. The parents may allow the minor to drive without realizing that the minor's license is suspended or revoked.

Testimony Against: There are problems with the implementation of this bill because the Department of Licensing does not have a record of the parent's name or address. In addition, the requirement that the notice be sent by certified mail is expensive, and notices are currently only sent by first class mail.

Testified: Tim Schellberg, Washington Association of Sheriffs and Police Chiefs (pro); and Clark Holloway, Department of Licensing (con).