

2 **SB 6142** - S AMD - 608
3 By Senators Kline and Roach

4 ADOPTED 2/12/98

5 On page 9, after line 36, insert the following:

6 "**Sec. 4.** RCW 46.20.391 and 1995 c 332 s 12 are each amended to
7 read as follows:

8 (1) Any person licensed under this chapter who is convicted of an
9 offense relating to motor vehicles for which suspension or revocation
10 of the driver's license is mandatory, other than vehicular homicide or
11 vehicular assault, or who has had his or her license suspended under
12 RCW 46.20.3101 (2)(a) or (3)(a), may submit to the department an
13 application for an occupational driver's license. The department, upon
14 receipt of the prescribed fee and upon determining that the petitioner
15 is engaged in an occupation or trade that makes it essential that the
16 petitioner operate a motor vehicle, may issue an occupational driver's
17 license and may set definite restrictions as provided in RCW 46.20.394.
18 No person may petition for, and the department shall not issue, an
19 occupational driver's license that is effective during the first thirty
20 days of any suspension or revocation imposed for a violation of RCW
21 46.61.502 or 46.61.504 or pursuant to RCW 46.20.3101 (2)(a) or (3)(a).
22 A person aggrieved by the decision of the department on the application
23 for an occupational driver's license may request a hearing as provided
24 by rule of the department.

25 (2) An applicant for an occupational driver's license is eligible
26 to receive such license only if:

27 (a) Within one year immediately preceding the date of the offense
28 that gave rise to the present conviction, the applicant has not
29 committed any offense relating to motor vehicles for which suspension
30 or revocation of a driver's license is mandatory; and

31 (b) Within five years immediately preceding the date of the offense
32 that gave rise to the present conviction or incident, the applicant has
33 not committed any of the following offenses: (i) Driving or being in
34 actual physical control of a motor vehicle while under the influence of
35 intoxicating liquor; (ii) vehicular homicide under RCW 46.61.520; or
36 (iii) vehicular assault under RCW 46.61.522; and

1 (c) The applicant is engaged in an occupation or trade that makes
2 it essential that he or she operate a motor vehicle; and

3 (d) The applicant files satisfactory proof of financial
4 responsibility pursuant to chapter 46.29 RCW.

5 (3) The director shall cancel an occupational driver's license upon
6 receipt of notice that the holder thereof has been convicted of
7 operating a motor vehicle in violation of its restrictions, or of an
8 offense that pursuant to chapter 46.20 RCW would warrant suspension or
9 revocation of a regular driver's license. The cancellation is
10 effective as of the date of the conviction, and continues with the same
11 force and effect as any suspension or revocation under this title."

12 **SB 6142** - S AMD - 608

13 By Senators Kline and Roach

14 ADOPTED 2/12/98

15 On page 1, line 4 of the title, after "46.20.3101," strike "and"
16 and after "46.20.355" insert ", and 46.20.391"

--- END ---