

2 **SSB 6187** - S AMD (S5338.3) - 840
3 By Senator Stevens

4 ADOPTED AS AMENDED 3/3/98

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 46.20.117 and 1993 c 452 s 3 are each amended to read
8 as follows:

9 (1) The department shall issue "identicards," containing a picture,
10 to nondrivers for a fee of four dollars. However, the fee shall be the
11 actual cost of production to recipients of continuing public assistance
12 grants under Title 74 RCW who are referred in writing to the department
13 by the secretary of social and health services. The fee shall be
14 deposited in the highway safety fund. To be eligible, each applicant
15 shall produce evidence as required in RCW 46.20.035 that positively
16 proves identity. The "identocard" shall be distinctly designed so that
17 it will not be confused with the official driver's license. The
18 identocard shall expire on the fifth anniversary of the applicant's
19 birthdate after issuance.

20 (2) The department may cancel an "identocard" upon a showing by its
21 records or other evidence that the holder of such "identocard" has
22 committed a violation relating to "identicards" defined in RCW
23 46.20.336.

24 (3) The department shall cancel an "identocard" upon a showing by
25 its records or other evidence that the holder of the identocard has
26 been convicted of a violation of RCW 46.61.502 or 46.61.504. To obtain
27 an identocard within five years of the conviction, the person must
28 reapply and pay the normal fee.

29 The department shall obliquely mark an identocard issued under this
30 subsection to indicate that the person has been convicted of driving
31 under the influence of alcohol or drugs within the last five years.

32 **Sec. 2.** RCW 46.20.120 and 1990 c 9 s 1 are each amended to read as
33 follows:

34 No new driver's license may be issued and no previously issued
35 license may be renewed until the applicant therefor has successfully

1 passed a driver licensing examination. However, the department may
2 waive all or any part of the examination of any person applying for the
3 renewal of a driver's license except when the department determines
4 that an applicant for a driver's license is not qualified to hold a
5 driver's license under this title. The department may also waive the
6 actual demonstration of the ability to operate a motor vehicle by a
7 person who surrenders a valid driver's license issued by the person's
8 previous home state and who is otherwise qualified to be licensed. The
9 department may not waive any part of the examination for a person whose
10 license has been suspended or revoked within the last five years for
11 conviction of a violation of RCW 46.61.502 or 46.61.504, but shall
12 require the person to successfully complete all parts of the
13 examination. For a new license examination a fee of seven dollars
14 shall be paid by each applicant, in addition to the fee charged for
15 issuance of the license. A new license is one issued to a driver who
16 has not been previously licensed in this state or to a driver whose
17 last previous Washington license has been expired for more than four
18 years.

19 Any person renewing his or her driver's license more than sixty
20 days after the license has expired shall pay a penalty fee of ten
21 dollars in addition to the renewal fee under RCW 46.20.181. The
22 penalty fee shall be deposited in the highway safety fund.

23 Any person who is outside the state at the time his or her driver's
24 license expires or who is unable to renew the license due to any
25 incapacity may renew the license within sixty days after returning to
26 this state or within sixty days after the termination of any such
27 incapacity without the payment of the penalty fee.

28 The department shall provide for giving examinations at places and
29 times reasonably available to the people of this state.

30 **Sec. 3.** RCW 46.20.311 and 1997 c 58 s 807 are each amended to read
31 as follows:

32 (1) The department shall not suspend a driver's license or
33 privilege to drive a motor vehicle on the public highways for a fixed
34 period of more than one year, except as specifically permitted under
35 RCW 46.20.342 or other provision of law. Except for a suspension under
36 RCW 46.20.289, 46.20.291(5), or 74.20A.320, whenever the license or
37 driving privilege of any person is suspended by reason of a conviction,
38 a finding that a traffic infraction has been committed, pursuant to

1 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
2 suspension shall remain in effect until the person gives and thereafter
3 maintains proof of financial responsibility for the future as provided
4 in chapter 46.29 RCW. If the suspension is the result of a violation
5 of RCW 46.61.502 or 46.61.504, the department shall determine the
6 person's eligibility for licensing based upon the reports provided by
7 the alcoholism agency or probation department designated under RCW
8 46.61.5056 and shall deny reinstatement until enrollment and
9 participation in an approved program has been established and the
10 person is otherwise qualified. Whenever the license or driving
11 privilege of any person is suspended as a result of certification of
12 noncompliance with a child support order under chapter 74.20A RCW or a
13 residential or visitation order, the suspension shall remain in effect
14 until the person provides a release issued by the department of social
15 and health services stating that the person is in compliance with the
16 order. The department shall not issue to the person a new, duplicate,
17 or renewal license until the person pays a reissue fee of twenty
18 dollars. If the suspension is the result of a violation of RCW
19 46.61.502 or 46.61.504, or is the result of administrative action under
20 RCW 46.20.308, the reissue fee shall be ~~((fifty))~~ the normal driver's
21 license fee plus an additional three hundred dollars.

22 (2) Any person whose license or privilege to drive a motor vehicle
23 on the public highways has been revoked, unless the revocation was for
24 a cause which has been removed, is not entitled to have the license or
25 privilege renewed or restored until: (a) After the expiration of one
26 year from the date the license or privilege to drive was revoked; (b)
27 after the expiration of the applicable revocation period provided by
28 RCW 46.20.3101 or 46.61.5055; (c) after the expiration of two years for
29 persons convicted of vehicular homicide; or (d) after the expiration of
30 the applicable revocation period provided by RCW 46.20.265. After the
31 expiration of the appropriate period, the person may make application
32 for a new license as provided by law together with a reissue fee in the
33 amount of twenty dollars, but if the revocation is the result of a
34 violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee
35 shall be ~~((fifty))~~ the normal driver's license fee plus an additional
36 three hundred dollars. If the revocation is the result of a violation
37 of RCW 46.61.502 or 46.61.504, the department shall determine the
38 person's eligibility for licensing based upon the reports provided by
39 the alcoholism agency or probation department designated under RCW

1 46.61.5056 and shall deny reissuance of a license, permit, or privilege
2 to drive until enrollment and participation in an approved program has
3 been established and the person is otherwise qualified. Except for a
4 revocation under RCW 46.20.265, the department shall not then issue a
5 new license unless it is satisfied after investigation of the driving
6 ability of the person that it will be safe to grant the privilege of
7 driving a motor vehicle on the public highways, and until the person
8 gives and thereafter maintains proof of financial responsibility for
9 the future as provided in chapter 46.29 RCW. For a revocation under
10 RCW 46.20.265, the department shall not issue a new license unless it
11 is satisfied after investigation of the driving ability of the person
12 that it will be safe to grant that person the privilege of driving a
13 motor vehicle on the public highways.

14 (3) Whenever the driver's license of any person is suspended
15 pursuant to Article IV of the nonresident violators compact or RCW
16 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
17 to the person any new or renewal license until the person pays a
18 reissue fee of twenty dollars. If the suspension is the result of a
19 violation of the laws of this or any other state, province, or other
20 jurisdiction involving (a) the operation or physical control of a motor
21 vehicle upon the public highways while under the influence of
22 intoxicating liquor or drugs, or (b) the refusal to submit to a
23 chemical test of the driver's blood alcohol content, the reissue fee
24 shall be (~~fifty~~) the normal driver's license fee plus an additional
25 three hundred dollars.

26 (4) The department shall obliquely mark a driver's license reissued
27 under this section that had been suspended or revoked for a violation
28 of RCW 46.61.502 or 46.61.504 or an equivalent violation under the laws
29 of another state, province, or other jurisdiction to indicate that the
30 person has been convicted of such a violation within the last five
31 years or has been administratively suspended under RCW 46.20.308. The
32 department shall continue to so mark any driver's license it issues to
33 that person for five years.

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

36 (1) Any person licensed under this chapter who is convicted of an
37 offense relating to motor vehicles for which suspension or revocation
38 of the driver's license is mandatory, other than vehicular homicide or

1 vehicular assault, may submit to the department an application for an
2 occupational driver's license. The department, upon receipt of the
3 prescribed fee and upon determining that the petitioner is engaged in
4 an occupation or trade that makes it essential that the petitioner
5 operate a motor vehicle, may issue an occupational driver's license and
6 may set definite restrictions as provided in RCW 46.20.394. No person
7 may petition for, and the department shall not issue, an occupational
8 driver's license that is effective during the first thirty days of any
9 suspension or revocation imposed for a violation of RCW 46.61.502 or
10 46.61.504. A person aggrieved by the decision of the department on the
11 application for an occupational driver's license may request a hearing
12 as provided by rule of the department.

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

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

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

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

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

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

36 (4) The department may issue an occupational driver's license to a
37 person convicted of a violation of RCW 46.61.502 or 46.61.504 only if
38 the person has successfully completed all parts of the driver's license

1 examination in accordance with RCW 46.20.120 and has paid a fee of
2 three hundred dollars in addition to any fee required elsewhere.

3 The department shall obliquely mark an occupational driver's
4 license issued under this subsection to indicate that the person's
5 regular license was suspended or revoked for a violation of RCW
6 46.61.502 or 46.61.504 or an equivalent violation under the laws of
7 another state, province, or other jurisdiction. The department shall
8 continue to so mark any driver's license it issues to that person for
9 five years after a conviction under RCW 46.61.502 or 46.61.504.

10 NEW SECTION. Sec. 5. A new section is added to chapter 46.68 RCW
11 to read as follows:

12 The impaired driving safety account is created in the custody of
13 the state treasurer. All receipts from fees collected under RCW
14 46.20.311 (1), (2), and (3) and 46.20.391(4) shall be deposited in the
15 account. Expenditures from this account may be used only to fund
16 projects to reduce impaired driving and to provide funding to local
17 governments for costs associated with enforcing laws relating to
18 driving and boating while under the influence of intoxicating liquor or
19 any drug. The account is subject to allotment procedures under chapter
20 43.88 RCW. Moneys in the account may be spent only after
21 appropriation.

22 **Sec. 6.** RCW 46.68.041 and 1995 2nd sp.s. c 3 s 1 are each amended
23 to read as follows:

24 (1) Except as provided in subsection (2) of this section, the
25 department shall forward all funds accruing under the provisions of
26 chapter 46.20 RCW together with a proper identifying, detailed report
27 to the state treasurer who shall deposit such moneys to the credit of
28 the highway safety fund.

29 (2) Seventy-five percent of each fee collected by the department
30 under RCW 46.20.311 (1), (2), and (3) and 46.20.391(4) shall be
31 deposited in the impaired driving safety account.

32 NEW SECTION. Sec. 7. FOR THE STATE TREASURER--FOR TRANSFER TO THE
33 COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

34 Impaired Driving Account Appropriation \$ 1,500,000

1 This funding is provided during the biennium ending June 30, 1999,
2 to reimburse county governments for the costs of implementing
3 legislation passed during the 1998 legislative session related to
4 driving or boating while under the influence of intoxicating liquor or
5 any drug. The amount appropriated under this section shall be
6 distributed to counties in accordance with RCW 82.14.310.

7 NEW SECTION. **Sec. 8. FOR THE STATE TREASURER--FOR TRANSFER TO THE**
8 **MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

9 Impaired Driving Account Appropriation \$ 1,000,000

10 This funding is provided during the biennium ending June 30, 1999,
11 to reimburse city governments for the costs of implementing legislation
12 passed during the 1998 legislative session related to driving or
13 boating while under the influence of intoxicating liquor or any drug.
14 The amount appropriated under this section shall be distributed to
15 cities in accordance with RCW 82.14.320.

16 **Sec. 9.** 1997 c 454 s 801 (uncodified) is amended to read as
17 follows:

18 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

19	General Fund Appropriation for fire insurance	
20	premiums distribution	\$ 6,617,250
21	General Fund Appropriation for public utility	
22	district excise tax distribution	\$ 35,183,803
23	General Fund Appropriation for prosecuting	
24	attorneys salaries	\$ 2,960,000
25	General Fund Appropriation for motor vehicle	
26	excise tax distribution	\$ 84,721,573
27	General Fund Appropriation for local mass transit	
28	assistance	\$ 383,208,166
29	General Fund Appropriation for camper and travel	
30	trailer excise tax distribution	\$ 3,904,937
31	General Fund Appropriation for boating	
32	safety/education and law enforcement	
33	distribution	\$ 3,616,000
34	Aquatic Lands Enhancement Account Appropriation	
35	for harbor improvement revenue	
36	distribution	\$ 142,000

1	Liquor Excise Tax Account Appropriation for	
2	liquor excise tax distribution	\$ 22,287,746
3	Liquor Revolving Fund Appropriation for liquor	
4	profits distribution	\$ 36,989,000
5	Timber Tax Distribution Account Appropriation	
6	for distribution to "Timber" counties	\$ 107,146,000
7	Municipal Sales and Use Tax Equalization Account	
8	Appropriation	\$ 66,860,014
9	County Sales and Use Tax Equalization Account	
10	Appropriation	\$ 11,843,224
11	Death Investigations Account Appropriation for	
12	distribution to counties for publicly	
13	funded autopsies	\$ 1,266,000
14	County Criminal Justice Account	
15	Appropriation	\$ ((80,634,471))
16		<u>82,134,471</u>
17	Municipal Criminal Justice Account	
18	Appropriation	\$ ((32,042,450))
19		<u>33,042,450</u>
20	County Public Health Account Appropriation	\$ ((43,773,588))
21		<u>43,854,588</u>
22	TOTAL APPROPRIATION	\$ ((923,196,222))
23		<u>925,777,222</u>

24 The total expenditures from the state treasury under the
25 appropriations in this section shall not exceed the funds available
26 under statutory distributions for the stated purposes.

27 NEW SECTION. **Sec. 10.** If this act mandates an increased level of
28 service by local governments, the local government may, under RCW
29 43.135.060 and chapter 4.92 RCW, submit claims for reimbursement by the
30 legislature. The claims shall be subject to verification by the office
31 of financial management."

1 **SSB 6187** - S AMD - 840

2 By Senator Stevens

3 ADOPTED AS AMENDED

4 On page 1, line 1 of the title, after "alcohol;" strike the
5 remainder of the title and insert "amending RCW 46.20.117, 46.20.120,
6 46.20.311, 46.20.391, and 46.68.041; adding a new section to chapter
7 46.68 RCW; creating a new section; prescribing penalties; and making
8 appropriations."

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