
HOUSE BILL 2058

State of Washington

55th Legislature

1997 Regular Session

By Representatives Wolfe, Smith and O'Brien

Read first time 02/19/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to occupational driver's licenses; and amending RCW
2 46.20.391.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.20.391 and 1995 c 332 s 12 are each amended to read
5 as follows:

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

1 application for an occupational driver's license may request a hearing
2 as provided by rule of the department.

3 (2) In addition, a person licensed under this chapter who is not
4 eligible to apply for an occupational driver's license under subsection
5 (1) of this section may submit to the department an application for an
6 occupational driver's license if (a) the applicant's driver's license
7 or driving privilege has been suspended or revoked, other than for
8 vehicular homicide, vehicular assault, refusing a breath or blood test,
9 noncompliance with a child support order, or for a physical or mental
10 disability that would prevent the person from operating a motor vehicle
11 with safety upon the highways and (b) the applicant demonstrates to the
12 satisfaction of the department that the following additional conditions
13 are met:

14 (i) The applicant is in an apprenticeship program or an on-the-job
15 training program for which a driver's license is required;

16 (ii) The applicant is in the process of applying for a position in
17 an apprenticeship or on-the-job training program and the program has
18 certified that a driver's license is required to begin the program; or

19 (iii) The applicant is in a welfare-to-work program that requires
20 a driver's license.

21 An occupational driver's license issued to an applicant described
22 in this subsection is valid for no more than two years.

23 As a condition of granting an occupational license under this
24 subsection, the department may require such subsequent proof as it
25 deems appropriate that the licensee is actively pursuing the
26 apprenticeship or on-the-job training program application.

27 (3) An applicant for an occupational driver's license is eligible
28 to receive such license only if:

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

33 (b) Within five years immediately preceding the date of the offense
34 that gave rise to the present conviction, the applicant has not
35 committed any of the following offenses: (i) Driving or being in
36 actual physical control of a motor vehicle while under the influence of
37 intoxicating liquor; (ii) vehicular homicide under RCW 46.61.520; or
38 (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)~~) (4) The director shall cancel an occupational driver's
6 license upon receipt of notice that the holder thereof has been
7 convicted of operating a motor vehicle in violation of its
8 restrictions, or of an offense that pursuant to chapter 46.20 RCW would
9 warrant suspension or revocation of a regular driver's license. The
10 cancellation is effective as of the date of the conviction, and
11 continues with the same force and effect as any suspension or
12 revocation under this title.

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