

6759

Sponsor(s): Senator Roach

Brief Title: Changing provisions relating to drunk driving.

SB 6759 - DIGEST

Reduces blood alcohol level from 0.10 to 0.08.

Provides that, if this act mandates an increased level of service by local governments, the local government may, under RCW 43.135.060 and chapter 4.92 RCW, submit claims for reimbursement by the legislature. The claims shall be subject to verification by the office of financial management.

Designates procedures for the issuance of an occupational license.

Revises procedures for the cancellation of an identicard.

Provides that the department may not waive any part of the examination for a person whose license has been suspended or revoked within the last five years for conviction of a violation of RCW 46.61.502 or 46.61.504, but shall require the person to successfully complete all parts of the examination.

Increases license renewal fees based on number of convictions.

Declares that the impoundment or forfeiture of a vehicle operated in violation of RCW 46.61.502 or 46.61.504 is intended to be a civil in rem action against the vehicle in order to remove it from the public highways and reduce the risk posed to traffic safety by a vehicle accessible to a driver who is reasonably believed to have violated these laws.

Declares that the vehicle is subject to forfeiture unless an applicable state agency rule or local ordinance prohibits forfeiture on the basis of economic or personal hardship to the spouse of the operator, taking into consideration public safety factors, including the operator's criminal history and driving record.

Provides that where the ownership interest subject to forfeiture is bona fide community property, the value of the undivided community property interest of the spouse who was not operating the vehicle in violation of RCW 46.61.502 or 46.61.504 shall not be forfeited nor subject to reduction for towing, removal, or storage charges associated with the forfeiture action.

Provides that notwithstanding RCW 46.55.113, whenever a motor vehicle is found to be operated by a person with a suspended or revoked driver's license or nonresident driving privileges, or while in a suspended or revoked status in violation of RCW 46.20.342 or 46.20.420, the vehicle is subject to impoundment, pursuant to applicable local ordinance or state agency rule, at the direction of a law enforcement officer.

Prescribes procedures for electronic home monitoring.

Declares that a person who drives a vehicle within this state after his or her license has been permanently revoked pursuant to RCW 46.61.5055 is guilty of a gross misdemeanor and shall be punished by a fine of not more than five thousand dollars and by imprisonment for one year. A second or subsequent violation of this section is a class C felony and shall be punished by a fine of

not more than ten thousand dollars and by imprisonment for seven years.

Provides that, at the expiration of seven years from the date of any conviction in which a person was punished by a permanent license revocation under RCW 46.61.5055 (2) or (3), the person may petition the department for restoration of his or her privilege to operate a motor vehicle in this state.

Directs the Washington traffic safety commission to conduct an electronic media campaign advertising the contents of this act. However, if specific funding for the purposes of this section referencing this section by bill or chapter number and section number, is not provided by June 30, 1998, in an appropriation by the legislature, this section is null and void.

Provides that, if a person is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance, the court shall order that after a period of suspension, revocation, or denial of driving privileges, the person may drive only a motor vehicle equipped with a functioning ignition interlock or other biological or technical device.

Repeals RCW 46.20.344.