

HOUSE BILL REPORT

HB 1294

As Reported By House Committee On:

Transportation

Title: An act relating to technical editing of statutes in chapter 46.20 RCW.

Brief Description: Technically editing chapter 46.20 RCW.

Sponsors: Representatives Fisher and K. Schmidt.

Brief History:

Committee Activity:

Transportation: 1/25/99, 2/2/99 [DPS].

Brief Summary of Substitute Bill

- Non-substantive edits to selected statutes governing driver's licensing.
- Purpose of the changes is to make the statutes easier to read, understand and follow.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Fisher, Democratic Co-Chair; Schmidt, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Buck; DeBolt; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Mitchell; Morris; Murray; Ogden; Pflug; Radcliff; Romero; Schindler; Schual-Berke; Scott; Skinner and Wood.

Staff: Paul Neal (786-7315).

Background:

Some of the statutes relating to driver's licenses have been found by some persons to be difficult to read and understand. This may be due to issues with the original drafting or with subsequent amendments to the statutes.

Summary of Substitute Bill:

HB 1294 proposes editing of some of the driver's license statutes found in Chapter 46.20 and dividing the chapter into subchapters in order to make the statutes easier to use. None of the changes are substantive, that is, they do not alter any of the privileges, rights or responsibilities that citizens or the state have under the current statutes.

The bill includes an intent section that explicitly states that the Legislature does not intend any substantive changes to the underlying statutes by enacting the clean-up legislation. The Supreme Court of Washington held that identical language demonstrated that the statutory amendments in Chapter 35, Laws of 1991, did not have any substantive effect, see Fray v. Spokane County, 134 Wn.2d 637, 653, 654 (1998).

Substitute Bill Compared to Original Bill:

The substitute bill includes the following additional changes:

References to depositing money collected into the highway safety fund are deleted. RCW 46.68.041 requires money collected under the driver's license statutes to be deposited in the highway safety fund. Parallel statements in Chapter 46.20 were removed as superfluous.

Language describing revocation of a juvenile agricultural driving permit referenced being "convicted" of a suspendable offense. Conviction is reserved for criminal offenses, and so was inappropriate in this context. "Convicted" changed to "found to have committed."

Other technical changes were made as requested by the Department of Licensing.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: None.

Testified: None.