

SENATE BILL REPORT

ESB 6234

As Passed Senate, February 15, 2000

Title: An act relating to driver's license examinations and restrictions.

Brief Description: Specifying conditions for requiring examination of a driver.

Sponsors: Senators Patterson, Haugen, Eide, Costa, Kohl-Welles, Gardner and McAuliffe.

Brief History:

Committee Activity: Transportation: 1/18/2000, 1/26/2000 [DP].
Passed Senate, 2/15/2000, 47-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Benton, Costa, Eide, Heavey, Horn, Jacobsen, Johnson, Oke, Patterson, Prentice, T. Sheldon, Shin and Swecker.

Staff: Jennifer Ziegler (786-7316)

Background: Under Washington law, the Department of Licensing (DOL) may require a driver to submit to an examination if DOL has good cause to believe that a driver is incompetent or otherwise not qualified to be licensed. Based upon the results of the examination, DOL must take appropriate driver improvement action and may suspend or revoke a person's driver's license.

Summary of Bill: The Director of DOL has good cause to believe that a driver is incompetent or unqualified to retain his or her driver's license on the basis of a report by a law enforcement officer, a physician, a physical therapist, a registered nurse, a psychiatrist or psychologist, or a member of the driver's immediate family.

The report must state that the person reasonably and in good faith believes that the driver cannot safely operate a motor vehicle. The report must contain the name, address, telephone number, and signature of the person making the report. DOL must review the report and the driver's record to determine whether a driver must submit to an examination.

A report received by DOL is exempt from public disclosure laws. The department must not divulge the identity of the person making the report without that person's permission, except upon the order of a court of competent jurisdiction.

A person who intentionally files a false report is guilty of a misdemeanor.

A driver whose condition is temporary in nature may petition the director for a reinstatement of his or her license at the end of the temporary condition.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This legislation is an effective way to take impaired drivers off the road. The legislation also provides a mechanism for concerned citizens to report a driver they are concerned about.

Testimony Against: None.

Testified: PRO: Senator Patterson, prime sponsor; Robert Anderson; Captain Eric Robertson, WA State Patrol; Janet Ray, AAA Washington; Debbie Schmidt, Dept. of Licensing.