
HOUSE BILL 2217

State of Washington

56th Legislature

1999 Regular Session

By Representatives Lovick, Haigh, Anderson, O'Brien, Lantz and Fortunato

Read first time 02/22/1999. Referred to Committee on Transportation.

1 AN ACT Relating to driver's license examinations; amending RCW
2 46.20.305; and adding a new section to chapter 42.17 RCW.

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

4 **Sec. 1.** RCW 46.20.305 and 1998 c 165 s 13 are each amended to read
5 as follows:

6 (1) The department, having good cause to believe that a licensed
7 driver is incompetent or otherwise not qualified to be licensed may
8 upon notice require him or her to submit to an examination.

9 (a) The director has good cause to require an examination if he or
10 she receives a written report based upon personal observation of
11 deterioration or lack of skills necessary for driving from:

12 (i) A law enforcement officer;

13 (ii) A physician;

14 (iii) A physical therapist;

15 (iv) A chiropractor;

16 (v) A registered nurse;

17 (vi) A psychologist;

18 (vii) A social worker; or

19 (viii) A family member.

1 (b) A report received by the department under this subsection is
2 exempt from public inspection and copying under chapter 42.17 RCW. The
3 department shall not divulge the identity of the person making the
4 report without that person's permission. A person who makes a report
5 in good faith may not be held liable in a civil action based upon the
6 contents of the report, the fact that it was made, or the consequences
7 of the report.

8 (2) The department shall require a driver reported under RCW
9 46.52.070(2), when a fatality occurred, to submit to an examination.
10 The examination must be completed no later than one hundred twenty days
11 after the accident report required under RCW 46.52.070(2) is received
12 by the department unless the department, at the request of the
13 operator, extends the time for examination.

14 (3) The department may require a driver reported under RCW
15 46.52.070(2) to submit to an examination, or suspend the person's
16 license subject to RCW 46.20.322, when a serious injury occurred. The
17 examination must be completed no later than one hundred twenty days
18 after the accident report required under RCW 46.52.070(2) is received
19 by the department.

20 (4) The department may in addition to an examination under this
21 section require such person to obtain a certificate showing his or her
22 condition signed by a licensed physician or other proper authority
23 designated by the department.

24 (5) Upon the conclusion of an examination under this section the
25 department shall take driver improvement action as may be appropriate
26 and may suspend or revoke the license of such person or permit him or
27 her to retain such license, or may issue a license subject to
28 restrictions as permitted under RCW 46.20.041. The department may
29 suspend or revoke the license of such person who refuses or neglects to
30 submit to such examination.

31 (6) The department may require payment of a fee by a person subject
32 to examination under this section. The department shall set the fee in
33 an amount that is sufficient to cover the additional cost of
34 administering examinations required by this section.

35 NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW
36 to read as follows:

1 A report filed with the department of licensing under RCW 46.20.041
2 that causes the director to commence an inquiry into a person's driving
3 ability is exempt from the disclosure requirements of this chapter.

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