

SENATE BILL REPORT

ESSB 5301

As of Third Reading, March 10, 2001

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

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

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Patterson, Haugen, Oke, Jacobsen and Carlson).

Brief History:

Committee Activity: Transportation: 2/7/01, 2/20/01 [DPS].

Passed Senate: 3/10/01, 25-23; amended on reconsideration. Failed Senate: 3/10/01, 24-23.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5301 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Eide, Finkbeiner, Horn, Jacobsen, Johnson, Kastama, McAuliffe, McDonald, Oke, Patterson, Prentice, T. Sheldon and Shin.

Staff: Dean Carlson (786-7305)

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 based upon a report by a law enforcement officer, a physician, a physical therapist, a registered nurse, a psychiatrist or psychologist, officers of the court, 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, description of personal observation or physical evidence, 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, except for those made by immediate family members.

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 bill is modeled after a Missouri law. It enables law enforcement, family members, and others to file a confidential report. The bill has the support of AARP. This bill is not age related, but is based on competency. Concerns: Officers of the court often file reports and this bill leaves them out.

Testimony Against: None.

Testified: Senator Patterson, prime sponsor (pro); Robert Anderson, Kent citizen (pro); Debbie Schmidt, Department of Licensing (concerns).