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ENGROSSED SUBSTITUTE HOUSE BILL 2829

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State of Washington

57th Legislature

2002 Regular Session

By House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Mielke, Murray, Haigh, Mitchell, Boldt, Dunn, Schindler, Woods and Doumit)

Read first time 02/07/2002. Referred to Committee on .

1 AN ACT Relating to reinstating driving privileges; and adding a new  
2 section to chapter 46.20 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20 RCW  
5 to read as follows:

6 (1)(a) Any person who had his or her driving privileges revoked as  
7 a juvenile pursuant to RCW 46.20.265 and was not otherwise eligible to  
8 drive at the time of the initial revocation may apply for an  
9 occupational driver's license if he or she meets the following  
10 requirements:

11 (i) Has obtained a valid driver's instruction permit under  
12 subsection (2) of this section;

13 (ii) Is eighteen years of age or older;

14 (iii) Has completed a traffic safety education program approved and  
15 accredited by the office of the superintendent of public instruction or  
16 a course of instruction offered by a licensed driver training school as  
17 defined by RCW 46.82.280(1);

1 (iv) Has successfully passed a driver licensing examination that  
2 would otherwise qualify the applicant for a driver's license had he or  
3 she not been subject to the revocation;

4 (v) Pays the required fee for the driver's license examination;

5 (vi) Pays the occupational driver's license application fee  
6 pursuant to RCW 46.20.380;

7 (vii) Within one year immediately preceding the date of the offense  
8 that gave rise to the present conviction, the applicant has not  
9 committed any offense relating to motor vehicles for which suspension  
10 or revocation of a driver's license is mandatory;

11 (viii) Within seven years immediately preceding the date of the  
12 offense that gave rise to the present conviction or incident, the  
13 applicant has not committed any of the following offenses: (A) Driving  
14 or being in actual physical control of a motor vehicle while under the  
15 influence of intoxicating liquor; (B) vehicular homicide under RCW  
16 46.61.520; or (C) vehicular assault under RCW 46.61.522;

17 (ix)(A) Is engaged in an occupation, trade, apprenticeship, or on-  
18 the-job training that makes it essential that he or she operate a motor  
19 vehicle; or (B) is enrolled at a college, university, community  
20 college, technical college, vocational school, trade school, or private  
21 career school for a minimum of six credit hours that makes it essential  
22 that he or she operate a motor vehicle; and

23 (x) Files satisfactory proof of financial responsibility under  
24 chapter 46.29 RCW.

25 (b) The department, upon receipt of the prescribed fee and  
26 application and upon determining that the applicant is engaged in an  
27 occupation, trade, apprenticeship, or on-the-job training or is  
28 enrolled at a college, university, community college, technical  
29 college, vocational school, trade school, or private career school for  
30 a minimum of six credit hours that makes it essential that the  
31 applicant operate a motor vehicle, may issue an occupational driver's  
32 license and may set definite restrictions as provided in RCW 46.20.394.  
33 No person may petition for, and the department shall not issue, an  
34 occupational driver's license that is effective during the first thirty  
35 days of any suspension or revocation.

36 (c) An occupational driver's license issued to an applicant under  
37 this section shall be valid for the period of the suspension or  
38 revocation but not more than two years. An applicant may apply for the  
39 renewal of an occupational driver's license.

1 (2)(a) Any person who had his or her driving privileges revoked as  
2 a juvenile pursuant to RCW 46.20.265 and was not otherwise eligible to  
3 drive at the time of the initial revocation may apply for a driver's  
4 instruction permit if the applicant has passed all the parts of the  
5 examination other than the driving test, provided the information  
6 required by RCW 46.20.091, paid a five-dollar fee, and meets the  
7 following requirements:

8 (i) Is at least eighteen years of age;

9 (ii) Has submitted a proper application; and

10 (iii) Is enrolled in a traffic safety education program approved  
11 and accredited by the office of the superintendent of public  
12 instruction or a course of instruction offered by a licensed driver  
13 training school as defined by RCW 46.82.280(1).

14 (b) A person holding a driver's instruction permit may drive a  
15 motor vehicle, other than a motorcycle, upon the public highway if:

16 (i) The person has immediate possession of the permit; and

17 (ii) An approved instructor, or licensed driver with at least five  
18 years of driving experience, occupies a seat beside the driver.

19 (c) A driver's instruction permit issued under this section is  
20 valid for one year after the date of issue.

21 (3) The director shall cancel an occupational driver's license upon  
22 receipt of notice that the holder thereof has been convicted of  
23 operating a motor vehicle in violation of its restrictions, or of a  
24 separate offense that under this chapter would warrant suspension or  
25 revocation of a regular driver's license. The cancellation is  
26 effective as of the date of the conviction, and continues with the same  
27 force and effect as any suspension or revocation under this title.

28 (4) For the purposes of this section, if transportation to and from  
29 a place of employment or postsecondary education is essential, an  
30 occupational driver's license may be granted.

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