
SUBSTITUTE HOUSE BILL 2829

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) Is engaged in an occupation, trade, apprenticeship, or on-the-
18 job training that makes it essential that he or she operate a motor
19 vehicle; and

20 (x) Files satisfactory proof of financial responsibility under
21 chapter 46.29 RCW.

22 (b) The department, upon receipt of the prescribed fee and
23 application and upon determining that the applicant is engaged in an
24 occupation or trade that makes it essential that the applicant operate
25 a motor vehicle, may issue an occupational driver's license and may set
26 definite restrictions as provided in RCW 46.20.394. No person may
27 petition for, and the department shall not issue, an occupational
28 driver's license that is effective during the first thirty days of any
29 suspension or revocation.

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

34 (2)(a) Any person who had his or her driving privileges revoked as
35 a juvenile pursuant to RCW 46.20.265 and was not otherwise eligible to
36 drive at the time of the initial revocation may apply for a driver's
37 instruction permit if the applicant has passed all the parts of the
38 examination other than the driving test, provided the information

1 required by RCW 46.20.091, paid a five-dollar fee, and meets the
2 following requirements:

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

4 (ii) Has submitted a proper application; and

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

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

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

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

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

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

23 (4) For the purposes of this section, if transportation to and from
24 a place of employment is essential, an occupational driver's license
25 may be granted.

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