

HOUSE BILL REPORT

HB 1016

As Reported by House Committee On:
Juvenile Justice & Family Law

Title: An act relating to the revocation of juvenile driving privileges.

Brief Description: Revising driving privileges for juveniles convicted of motor vehicle felonies.

Sponsors: Representative Nixon.

Brief History:

Committee Activity:

Juvenile Justice & Family Law: 1/28/03, 2/20/03 [DPS].

Brief Summary of Substitute Bill

- Revokes a juvenile's driving privileges until age 18 or for one year, whichever is longer, if he or she is convicted for the first time of motor vehicle theft in the first or second degree, or of taking a motor vehicle without permission in the first or second degree.
- Revokes a juvenile's driving privileges until age 21 or for three years, whichever is longer, if he or she receives additional convictions for motor vehicle theft in the first or second degree or for taking a motor vehicle without permission in the first or second degree.

HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Dickerson, Chair; Delvin, Ranking Minority Member; Carrell, Hinkle and Upthegrove.

Minority Report: Do not pass. Signed by 2 members: Representatives Pettigrew, Vice Chair; and Eickmeyer.

Staff: Trudes Hutcheson (786-7384).

Background:

The Department of Licensing (DOL) may suspend or revoke a person's driving privilege for a number of reasons, including specific criminal convictions, such as reckless driving or driving under the influence of alcohol or drugs.

In addition, the DOL must suspend or revoke a juvenile's driving privilege when the DOL receives notice from a court that the juvenile has been convicted of:

- an offense committed while armed with a firearm;
- an offense regarding the purchase, possession or consumption of alcohol; or
- a violation of the various drug laws.

For the first conviction, the DOL must revoke the juvenile's driving privilege for one year or until the juvenile reaches 17, whichever is longer. For the second or subsequent convictions, the DOL must revoke the juvenile's driving privilege for two years or until the juvenile reaches 18, whichever is longer.

The revocation is imposed without a hearing. Each conviction results in a separate period of revocation, and periods of revocation must run consecutively. A juvenile may petition the court for reinstatement at an earlier date, but the statutes impose a certain minimum term of revocation. The decision to grant reinstatement after the statutory minimum term is within the court's discretion.

Summary of Substitute Bill:

The DOL shall revoke a juvenile's driving privilege until the juvenile is 18 or for one year, whichever is longer, if the juvenile is convicted for the first time of motor vehicle theft in the first or second degree, or taking a motor vehicle without permission in the first or second degree.

The DOL shall revoke a juvenile's driving privilege until the juvenile is 21 or for three years, whichever is longer, if the juvenile is convicted for the second or subsequent time of motor vehicle theft in the first or second degree, or taking a motor vehicle without permission in the first or second degree.

The DOL shall immediately reinstate a juvenile's driving privilege when the revocation period ends.

Substitute Bill Compared to Original Bill:

The substitute makes a technical amendment to the bill.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Automobile theft has not been in the headlines recently, but it is still a problem that affects most citizens. The number of auto thefts are increasing. About 100 cars a day are being stolen. Juveniles do most of the auto thefts and they don't get much time in detention.

Testimony Against: Extending the length of time for revoking a juvenile's license does not act as a deterrent. Any rehabilitative efforts for the juvenile may be hampered by the juvenile's inability to drive. The juvenile would not be able to get a job or go to school.

Testified: (In support) Representative Nixon, prime sponsor.

(Opposed) Sherry Appleton, Washington Defenders Association and Washington Association of Criminal Defense Lawyers.