
SUBSTITUTE HOUSE BILL 1016

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Juvenile Justice & Family Law (originally sponsored by Representative Nixon)

READ FIRST TIME 02/24/03.

1 AN ACT Relating to the revocation of juvenile driving privileges;
2 amending RCW 46.20.311, 9A.56.030, 9A.56.040, and 9A.56.070; and adding
3 a new section to chapter 46.20 RCW.

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

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

7 (1) In addition to any other authority to revoke driving privileges
8 under this chapter, the department shall revoke the driving privileges
9 of a juvenile in accordance with this section.

10 (2)(a) The department shall revoke the driving privileges of a
11 juvenile until the juvenile is eighteen years of age, or for one year,
12 whichever is longer, when the department receives notice that the
13 juvenile has been convicted of motor vehicle theft in the first degree
14 under RCW 9A.56.030 and it is the juvenile's first conviction of motor
15 vehicle theft under RCW 9A.56.030.

16 (b) The department shall revoke the driving privileges of a
17 juvenile until the juvenile is twenty-one years of age, or for three
18 years, whichever is longer, when the department receives notice that

1 the juvenile has been convicted of motor vehicle theft in the first
2 degree under RCW 9A.56.030 and it is the juvenile's second or
3 subsequent conviction of motor vehicle theft under RCW 9A.56.030.

4 (3)(a) The department shall revoke the driving privileges of a
5 juvenile until the juvenile is eighteen years of age, or for one year,
6 whichever is longer, when the department receives notice that the
7 juvenile has been convicted of motor vehicle theft in the second degree
8 under RCW 9A.56.040 and it is the juvenile's first conviction of motor
9 vehicle theft under RCW 9A.56.040.

10 (b) The department shall revoke the driving privileges of a
11 juvenile until the juvenile is twenty-one years of age, or for three
12 years, whichever is longer, when the department receives notice that
13 the juvenile has been convicted of motor vehicle theft in the second
14 degree under RCW 9A.56.040 and it is the juvenile's second or
15 subsequent conviction of motor vehicle theft under RCW 9A.56.040.

16 (4)(a) The department shall revoke the driving privileges of a
17 juvenile until the juvenile is eighteen years of age, or for one year,
18 whichever is longer, when the department receives notice that the
19 juvenile has been convicted of taking a motor vehicle without
20 permission under RCW 9A.56.070 and it is the juvenile's first
21 conviction under RCW 9A.56.070.

22 (b) The department shall revoke the driving privileges of a
23 juvenile until the juvenile is twenty-one years of age, or for three
24 years, whichever is longer, when the department receives notice that
25 the juvenile has been convicted of taking a motor vehicle without
26 permission under RCW 9A.56.070 and it is the juvenile's second or
27 subsequent conviction under RCW 9A.56.070.

28 (5) The department shall immediately reinstate driving privileges
29 that have been revoked under this section when the revocation period
30 ends.

31 **Sec. 2.** RCW 46.20.311 and 2001 c 325 s 2 are each amended to read
32 as follows:

33 (1)(a) The department shall not suspend a driver's license or
34 privilege to drive a motor vehicle on the public highways for a fixed
35 period of more than one year, except as specifically permitted under
36 RCW 46.20.267, 46.20.342, section 1 of this act, or other provision of
37 law. Except for a suspension under RCW 46.20.267, 46.20.289,

1 46.20.291(5), 46.61.740, or 74.20A.320, whenever the license or driving
2 privilege of any person is suspended by reason of a conviction, a
3 finding that a traffic infraction has been committed, pursuant to
4 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the
5 suspension shall remain in effect until the person gives and thereafter
6 maintains proof of financial responsibility for the future as provided
7 in chapter 46.29 RCW. If the suspension is the result of a violation
8 of RCW 46.61.502 or 46.61.504, the department shall determine the
9 person's eligibility for licensing based upon the reports provided by
10 the alcoholism agency or probation department designated under RCW
11 46.61.5056 and shall deny reinstatement until enrollment and
12 participation in an approved program has been established and the
13 person is otherwise qualified. Whenever the license or driving
14 privilege of any person is suspended as a result of certification of
15 noncompliance with a child support order under chapter 74.20A RCW or a
16 residential or visitation order, the suspension shall remain in effect
17 until the person provides a release issued by the department of social
18 and health services stating that the person is in compliance with the
19 order.

20 (b)(i) The department shall not issue to the person a new,
21 duplicate, or renewal license until the person pays a reissue fee of
22 twenty dollars.

23 (ii) If the suspension is the result of a violation of RCW
24 46.61.502 or 46.61.504, or is the result of administrative action under
25 RCW 46.20.308, the reissue fee shall be one hundred fifty dollars.

26 (2)(a) Any person whose license or privilege to drive a motor
27 vehicle on the public highways has been revoked, unless the revocation
28 was for a cause which has been removed, is not entitled to have the
29 license or privilege renewed or restored until: (i) After the
30 expiration of one year from the date the license or privilege to drive
31 was revoked; (ii) after the expiration of the applicable revocation
32 period provided by RCW 46.20.3101 or 46.61.5055; (iii) after the
33 expiration of two years for persons convicted of vehicular homicide; or
34 (iv) after the expiration of the applicable revocation period provided
35 by RCW 46.20.265 or section 1 of this act.

36 (b)(i) After the expiration of the appropriate period, the person
37 may make application for a new license as provided by law together with
38 a reissue fee in the amount of twenty dollars.

1 (ii) If the revocation is the result of a violation of RCW
2 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be one
3 hundred fifty dollars. If the revocation is the result of a violation
4 of RCW 46.61.502 or 46.61.504, the department shall determine the
5 person's eligibility for licensing based upon the reports provided by
6 the alcoholism agency or probation department designated under RCW
7 46.61.5056 and shall deny reissuance of a license, permit, or privilege
8 to drive until enrollment and participation in an approved program has
9 been established and the person is otherwise qualified.

10 (c) Except for a revocation under RCW 46.20.265, the department
11 shall not then issue a new license unless it is satisfied after
12 investigation of the driving ability of the person that it will be safe
13 to grant the privilege of driving a motor vehicle on the public
14 highways, and until the person gives and thereafter maintains proof of
15 financial responsibility for the future as provided in chapter 46.29
16 RCW. For a revocation under RCW 46.20.265, the department shall not
17 issue a new license unless it is satisfied after investigation of the
18 driving ability of the person that it will be safe to grant that person
19 the privilege of driving a motor vehicle on the public highways.

20 (3)(a) Whenever the driver's license of any person is suspended
21 pursuant to Article IV of the nonresident violators compact or RCW
22 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue
23 to the person any new or renewal license until the person pays a
24 reissue fee of twenty dollars.

25 (b) If the suspension is the result of a violation of the laws of
26 this or any other state, province, or other jurisdiction involving (i)
27 the operation or physical control of a motor vehicle upon the public
28 highways while under the influence of intoxicating liquor or drugs, or
29 (ii) the refusal to submit to a chemical test of the driver's blood
30 alcohol content, the reissue fee shall be one hundred fifty dollars.

31 **Sec. 3.** RCW 9A.56.030 and 1995 c 129 s 11 are each amended to read
32 as follows:

33 (1) A person is guilty of theft in the first degree if he or she
34 commits theft of:

35 (a) Property or services which exceed(s) one thousand five hundred
36 dollars in value other than a firearm as defined in RCW 9.41.010; or

1 (b) Property of any value other than a firearm as defined in RCW
2 9.41.010 taken from the person of another.

3 (2) Theft in the first degree is a class B felony.

4 (3) A juvenile convicted of motor vehicle theft in the first degree
5 under this section shall also have driving privileges revoked in
6 accordance with section 1 of this act. Upon conviction, the court
7 shall immediately transmit conviction data to the department of
8 licensing necessary for the administration of section 1 of this act.

9 **Sec. 4.** RCW 9A.56.040 and 1995 c 129 s 12 are each amended to read
10 as follows:

11 (1) A person is guilty of theft in the second degree if he or she
12 commits theft of:

13 (a) Property or services which exceed(s) two hundred and fifty
14 dollars in value other than a firearm as defined in RCW 9.41.010, but
15 does not exceed one thousand five hundred dollars in value; or

16 (b) A public record, writing, or instrument kept, filed, or
17 deposited according to law with or in the keeping of any public office
18 or public servant; or

19 (c) An access device; or

20 (d) A motor vehicle, of a value less than one thousand five hundred
21 dollars.

22 (2) Theft in the second degree is a class C felony.

23 (3) A juvenile convicted of motor vehicle theft in the second
24 degree under this section shall also have driving privileges revoked in
25 accordance with section 1 of this act. Upon conviction, the court
26 shall immediately transmit conviction data to the department of
27 licensing necessary for the administration of section 1 of this act.

28 **Sec. 5.** RCW 9A.56.070 and 2002 c 324 s 1 are each amended to read
29 as follows:

30 (1)(a) A person is guilty of taking a motor vehicle without
31 permission in the first degree if he or she, without the permission of
32 the owner or person entitled to possession, intentionally takes or
33 drives away an automobile or motor vehicle, whether propelled by steam,
34 electricity, or internal combustion engine, that is the property of
35 another, and he or she:

1 (i) Alters the motor vehicle for the purpose of changing its
2 appearance or primary identification, including obscuring, removing, or
3 changing the manufacturer's serial number or the vehicle identification
4 number plates;

5 (ii) Removes, or participates in the removal of, parts from the
6 motor vehicle with the intent to sell the parts;

7 (iii) Exports, or attempts to export, the motor vehicle across
8 state lines or out of the United States for profit;

9 (iv) Intends to sell the motor vehicle; or

10 (v) Is engaged in a conspiracy and the central object of the
11 conspiratorial agreement is the theft of motor vehicles for sale to
12 others for profit.

13 (b) Taking a motor vehicle without permission in the first degree
14 is a class B felony.

15 (2)(a) A person is guilty of taking a motor vehicle without
16 permission in the second degree if he or she, without the permission of
17 the owner or person entitled to possession, intentionally takes or
18 drives away any automobile or motor vehicle, whether propelled by
19 steam, electricity, or internal combustion engine, that is the property
20 of another, or he or she voluntarily rides in or upon the automobile or
21 motor vehicle with knowledge of the fact that the automobile or motor
22 vehicle was unlawfully taken.

23 (b) Taking a motor vehicle without permission in the second degree
24 is a class C felony.

25 (3) A juvenile convicted of taking a motor vehicle without
26 permission in the first or second degree under this section shall also
27 have driving privileges revoked in accordance with section 1 of this
28 act. Upon conviction, the court shall immediately transmit conviction
29 data to the department of licensing necessary for the administration of
30 section 1 of this act.

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