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HOUSE BILL 1597

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Mielke, Armstrong, Boldt, Orcutt, Wood, Woods, Kristiansen, Campbell, Hatfield, Sump and Schoesler

Read first time 01/31/2003. Referred to Committee on Transportation.

1 AN ACT Relating to physical examinations for commercial drivers'  
2 licenses; amending RCW 46.25.070; adding new sections to chapter 46.25  
3 RCW; creating a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that current economic  
6 conditions impose severe hardships on many commercial vehicle drivers.  
7 The legislature finds that commercial drivers who may not currently be  
8 working may not be able to afford the expense of a required physical in  
9 order to maintain their commercial driver's license. The legislature  
10 finds that Washington's commercial driver's license statutes should be  
11 harmonized with federal requirements, which require proof of a physical  
12 capacity to drive a commercial vehicle, along with a valid commercial  
13 driver's license, but do not link the two requirements. The  
14 legislature finds that allowing commercial drivers to delay getting a  
15 physical until they are actually employed as a commercial truck driver  
16 will prevent the imposition of unnecessary expense and hardship on  
17 Washington's commercial vehicle drivers.

1       **Sec. 2.** RCW 46.25.070 and 1991 c 73 s 2 are each amended to read  
2 as follows:

3       (1) The application for a commercial driver's license or commercial  
4 driver's instruction permit must include the following:

5       (a) The full name and current mailing and residential address of  
6 the person;

7       (b) A physical description of the person, including sex, height,  
8 weight, and eye color;

9       (c) Date of birth;

10       (d) The applicant's Social Security number;

11       (e) The person's signature;

12       (f) Certifications including those required by 49 C.F.R. part  
13 383.71(a);

14       (g) ~~((Proof of certification of physical examination or waiver, as  
15 required by 49 C.F.R. 391.41 through 391.49;~~

16 ~~(h))~~) Any other information required by the department; and

17 ~~((i))~~) (h) A consent to release driving record information to  
18 parties identified in chapter 46.52 RCW and this chapter.

19       (2) When a licensee changes his or her name, mailing address, or  
20 residence address, the person shall notify the department as provided  
21 in RCW 46.20.205.

22       (3) No person who has been a resident of this state for thirty days  
23 may drive a commercial motor vehicle under the authority of a  
24 commercial driver's license issued by another jurisdiction.

25       NEW SECTION. **Sec. 3.** A new section is added to chapter 46.25 RCW  
26 to read as follows:

27       A person may not drive a commercial motor vehicle unless he or she  
28 is physically qualified to do so and, except as provided in 49 C.F.R.  
29 Sec. 391.67, has on his or her person the original, or a photographic  
30 copy, of a medical examiner's certificate that he or she is physically  
31 qualified to drive a commercial motor vehicle.

32       NEW SECTION. **Sec. 4.** A new section is added to chapter 46.25 RCW  
33 to read as follows:

34       (1) It is a traffic infraction for a licensee under this chapter to  
35 drive a commercial vehicle without having on his or her person the

1 original, or a photographic copy, of a medical examiner's certificate  
2 that he or she is physically qualified to drive a commercial motor  
3 vehicle.

4 (2) A person who violates this section is subject to a penalty of  
5 two hundred fifty dollars. If the person appears in person before the  
6 court or submits by mail written proof that he or she had, at the time  
7 the infraction took place, the medical examiner's certificate, the  
8 court shall reduce the penalty to fifty dollars.

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