

SENATE BILL REPORT

SB 6402

As Reported By Senate Committee On:
Judiciary, February 08, 2008

Title: An act relating to the issuance and installation of fluorescent yellow license plates for persons convicted of certain DUI-related offenses.

Brief Description: Requiring the issuance and installation of fluorescent yellow license plates for persons convicted of certain DUI-related offenses.

Sponsors: Senators Carrell and Sheldon.

Brief History:

Committee Activity: Judiciary: 1/29/08, 2/08/08 [DPS, DNP].
Transportation: 2/11/08.

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 6402 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove and Roach.

Minority Report: Do not pass.

Signed by Senators Tom, Vice Chair; McDermott and Weinstein.

Staff: Lidia Mori (786-7755)

SENATE COMMITTEE ON TRANSPORTATION

Staff: Janice Baumgardt (786-7319)

Background: The Department of Licensing (DOL) requires, after any applicable period of suspension, revocation, or denial of driving privileges, a person to drive only a motor vehicle equipped with a functioning ignition interlock device if the person has been convicted of the offense of driving under the influence of alcohol or any drug (DUI). DOL attaches or imprints a notation on the driving records of people who are so restricted. The ignition interlock device is not necessary on vehicles owned by a person's employer and driven as a requirement of employment during working hours. It is a misdemeanor for a person with the ignition interlock restriction to operate a motor vehicle that is not equipped with a functioning

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

device. If the restricted person attempts to circumvent the device, or requests someone else to do so, he or she is guilty of a gross misdemeanor.

Any person who has had his or her license suspended, revoked, or denied may apply to DOL for a temporary restricted license. DOL is prohibited from issuing a temporary restricted license that is effective during the first 30 days of any suspension or revocation period. If the suspension or revocation is due to an alcohol related offense, the applicant must provide proof to DOL that a functioning ignition interlock device has been installed on the vehicle owned or operated by the applicant.

Summary of Bill: The bill as referred to committee was not considered.

SUMMARY OF BILL (Recommended Substitute): DOL is directed to require a person who has been convicted of a DUI to drive only a motor vehicle that is equipped with front and rear fluorescent yellow license plates for one year, after any applicable period of suspension, revocation, or denial of driving privileges. For motor vehicles, the fee is \$10 per plate. If the vehicle is a motorcycle or moped, only one plate is required and the fee is \$2. The fees are deposited in the motor vehicle fund.

The fluorescent yellow plates are not necessary on vehicles owned by a person's employer and driven as a requirement of employment during working hours. DOL must attach or imprint a notation on the driving record of a person restricted to driving a vehicle with the fluorescent yellow plates. It is a misdemeanor to operate a motor vehicle that is not equipped with the fluorescent yellow license plates if the notation is present on the driving record of the driver. If DOL is notified by law enforcement that the yellow plates are not being displayed as required, DOL is directed to suspend the person's license or privilege to drive until the person obtains the required plates. It is a gross misdemeanor for a person who is restricted to the use of a motor vehicle equipped with the yellow plates to knowingly disguise or obscure the color of the license plates.

An applicant for a temporary restricted license must provide proof to DOL that he or she has obtained fluorescent yellow license plates if his or her license was suspended due to a alcohol related offense. DOL must require the person to maintain the fluorescent yellow plates on a vehicle owned or operated by the person for the remainder of the period of suspension or revocation.

Appropriation: None.

Fiscal Note: Requested on January 27, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: This act takes effect January 1, 2009.

Staff Summary of Public Testimony (Judiciary): PRO: Law enforcement thinks it would be helpful for them to be able to pay extra attention to drivers who are driving and have been convicted of driving under the influence of alcohol or any drug. It may also be helpful for other drivers to know so they can give the driver with the fluorescent license plates a wider berth. There should be some social consequence for driving drunk. This measure would not be hugely expensive.

Persons Testifying (Judiciary): PRO: Senator Carrell, prime sponsor.

Staff Summary of Public Testimony (Transportation): PRO: Requiring those convicted of alcohol related offenses to use these license plates will discourage drunk driving.

Persons Testifying (Transportation): PRO: Senator Carrell, prime sponsor.