

SSB 5610 - H AMD 684

By Representative Goodman

ADOPTED 4/15/2009

1 On page 2, line 14, after "purposes" insert "related to driving by
2 an individual as a condition of that individual's employment or
3 otherwise at the direction of the employer or organization"

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5 On page 2, line 15, after "(2)" insert the following:

6 "Nothing in this section shall be interpreted to prevent a court
7 from providing a copy of the driver's abstract to the individual named
8 in the abstract, provided that the named individual has a pending case
9 in that court for a suspended license violation or an open infraction
10 or criminal case in that court that has resulted in the suspension of
11 the individual's driver's license. A pending case includes criminal
12 cases that have not reached a disposition by plea, stipulation, trial,
13 or amended charge. An open infraction or criminal case includes cases
14 on probation, payment agreement or subject to, or in collections.
15 Courts may charge a reasonable fee for production and copying of the
16 abstract for the individual.

17 (3)"

18

19 Renumber the remaining subsections consecutively and correct any
20 internal references accordingly.

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22 On page 4, line 36, after "purposes" insert "related to driving by
23 an individual as a condition of that individual's employment or
24 otherwise at the direction of the employer or organization"

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1 On page 5, line 23, after "purposes" insert "related to driving by
2 an individual as a condition of that individual's employment or
3 otherwise at the direction of the employer or organization"

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5 On page 5, after line 30, insert the following:

6 "**Sec. 2.** RCW 46.01.260 and 1999 c 86 s 2 are each amended to read
7 as follows:

8 (1) Except as provided in subsection (2) of this section, the
9 director, in his or her discretion, may destroy applications for
10 vehicle licenses, copies of vehicle licenses issued, applications for
11 drivers' licenses, copies of issued drivers' licenses, certificates of
12 title and registration or other documents, records or supporting
13 papers on file in his or her office which have been microfilmed or
14 photographed or are more than five years old. If the applications for
15 vehicle licenses are renewal applications, the director may destroy
16 such applications when the computer record thereof has been updated.

17 (2)(a) The director shall not destroy records of convictions or
18 adjudications of RCW 46.61.502, 46.61.504, 46.61.520, and 46.61.522,
19 or records of deferred prosecutions granted under RCW 10.05.120 and
20 shall maintain such records permanently on file.

21 (b) The director shall not, within fifteen years from the date of
22 conviction or adjudication, destroy records (~~of the following:~~

23 ~~—(i) Convictions or adjudications of the following offenses: RCW~~
24 ~~46.61.502 or 46.61.504; or~~

25 ~~—(ii) If~~ if the offense was originally charged as one of the
26 offenses designated in (a) (~~or (b)(i)~~) of this subsection,
27 convictions or adjudications of the following offenses: RCW 46.61.500
28 or 46.61.5249, or any other violation that was originally charged as
29 one of the offenses designated in (a) (~~or (b)(i)~~) of this
30 subsection.

31 (c) For purposes of RCW 46.52.101 and 46.52.130, offenses subject
32 to this subsection shall be considered "alcohol-related" offenses."

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34 Correct the title.

EFFECT:

(1) Limits the availability of driving record abstracts to employers, prospective employers, and volunteer organizations to circumstances where driving is a condition of the employment of the individual named in the abstract or will be engaged in by the named individual at the direction of the employer or organization.

(2) Allows a court to provide a copy of a person's abstract to them if the person has a pending case before the court for a suspended license violation or an open infraction or criminal case that has resulted in the suspension of a person's driver's license. An open infraction or criminal case includes cases on probation or subject to a payment agreement or in collections. Courts may charge a reasonable fee for producing and copying the abstract for the person.

(3) Requires the Department of Licensing to keep records of convictions for driving under the influence of intoxicating liquor or drugs permanently.

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