

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5732

61st Legislature
2009 Regular Session

Passed by the Senate April 22, 2009
YEAS 34 NAYS 15

President of the Senate

Passed by the House April 14, 2009
YEAS 60 NAYS 36

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5732** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5732

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senate Judiciary (originally sponsored by Senators Kline, McCaslin, Regala, and Hargrove)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to traffic infractions for drivers whose licenses
2 or privileges are suspended or revoked; and adding a new section to
3 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)(a) A person who violates RCW 46.20.342(1)(c)(iv) in a
8 jurisdiction that does not have a relicensing diversion program shall
9 be provided with an abstract of his or her driving record by the court
10 or the prosecuting attorney, in addition to a list of his or her unpaid
11 traffic offense related fines and the contact information for each
12 jurisdiction or collection agency to which money is owed.

13 (b) A fee of up to twenty dollars may be imposed by the court in
14 addition to any fee required by the department for provision of the
15 driving abstract.

16 (2)(a) Superior courts or courts of limited jurisdiction in
17 counties or cities are authorized to participate or provide relicensing
18 diversion programs to persons who violate RCW 46.20.342(1)(c)(iv).

1 (b) Eligibility for the relicensing diversion program shall be
2 limited to violators with no more than four convictions under RCW
3 46.20.342(1)(c)(iv) in the ten years preceding the date of entering the
4 relicensing diversion program, subject to a less restrictive rule
5 imposed by the presiding judge of the county district court or
6 municipal court. People subject to arrest under a warrant are not
7 eligible for the diversion program.

8 (c) The diversion option may be offered at the discretion of the
9 prosecuting attorney before charges are filed, or by the court after
10 charges are filed.

11 (d) A person who is the holder of a commercial driver's license or
12 who was operating a commercial motor vehicle at the time of the
13 violation of RCW 46.20.342(1)(c)(iv) may not participate in the
14 diversion program under this section.

15 (e) A relicensing diversion program that is structured to occur
16 after charges are filed may charge participants a one-time fee of up to
17 one hundred dollars, which is not subject to chapters 3.50, 3.62, and
18 35.20 RCW, and shall be used to support administration of the program.
19 The fee of up to one hundred dollars shall be included in the total to
20 be paid by the participant in the relicensing diversion program.

21 (3) A relicensing diversion program shall be designed to assist
22 suspended drivers to regain their license and insurance and pay
23 outstanding fines.

24 (4)(a) Counties and cities that operate relicensing diversion
25 programs shall, subject to available funds, provide information to the
26 administrative office of the courts on an annual basis regarding the
27 eligibility criteria used for the program, the number of referrals from
28 law enforcement, the number of participants accepted into the program,
29 the number of participants who regain their driver's license and
30 insurance, the total amount of fines collected, the costs associated
31 with the program, and other information as determined by the office.

32 (b) The administrative office of the courts is directed, subject to
33 available funds, to compile and analyze the data required to be
34 submitted in this section and develop recommendations for a best
35 practices model for relicensing diversion programs.

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