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## Transportation Committee

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### HB 2234

**Brief Description:** Addressing employer notification upon commercial driver's license suspension.

**Sponsors:** Representatives Hurst and Dahlquist.

#### Brief Summary of Bill

- Requires the Department of Licensing (DOL) to notify the employers of a driver who is disqualified from operating a commercial motor vehicle or who is out of compliance with a child support order.
- Requires the DOL to create a voluntary database in which an employer may register any employee for which the employer wishes to receive this notification.

**Hearing Date:** 1/16/12

**Staff:** Alison Hellberg (786-7152).

#### Background:

The operation of commercial motor vehicles is regulated under both state and federal law. In order to operate a commercial motor vehicle in Washington, a person generally must hold a commercial driver's license, issued by the Department of Licensing (DOL), with the applicable endorsements for the vehicle he or she is driving. If a person is convicted of certain offenses, the person may be disqualified from driving a commercial motor vehicle for a specified period of time.

Federal law requires states to have procedures for the suspension or restriction of a person's driver's license, professional and occupational license, and recreational and sporting license if the person owes past child support. Under Washington's license suspension program, the Department of Social and Health Services (DSHS) may serve a responsible parent with a notice of noncompliance if the parent fails to pay his or her support when due. Before suspending a

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parent's licenses, the DSHS serves the parent with a notice informing the parent of the DSHS's intent to submit the parent's name to the DOL and other licensing entities for license suspension.

The notice of noncompliance must inform the parent that in order to prevent the DSHS from notifying the DOL, the parent has 20 days to either:

- pay the overdue support amount in full;
- request an adjudicative proceeding;
- agree to a payment schedule with the DSHS; or
- file an action to modify the child support order.

If the parent subsequently comes into compliance with the child support order, the DSHS must promptly provide the parent and the appropriate licensing entity with a release stating that the parent is in compliance with the order.

**Summary of Bill:**

If a driver's commercial driver's license is suspended, revoked, or cancelled or the driver is disqualified from operating a commercial motor vehicle, the DOL must notify the driver's employer or employers, who are on file with the DOL.

When the DSHS informs a responsible parent that his or her name will be submitted to the DOL as a licensee who is not in compliance with a child support order, the DSHS must also notify the DOL. When the DOL receives this notification, the DOL must notify the driver's employer or employers, who are on file with the DOL.

The DOL is required to establish a voluntary database in which an employer may register any employee for which the employer wishes to receive these notifications.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.