

SENATE BILL REPORT

SB 6489

As Reported by Senate Committee On:
Judiciary, February 2, 2012

Title: An act relating to the issuance of certain drivers' licenses.

Brief Description: Eligibility for an ignition interlock driver's license.

Sponsors: Senator Harper.

Brief History:

Committee Activity: Judiciary: 2/01/12, 2/02/12 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 6489 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Harper, Vice Chair; Carrell, Hargrove, Kohl-Welles, Padden and Regala.

Staff: Aldo Melchiori (786-7439)

Background: Drivers who will have their license suspended or revoked based upon a conviction or administrative action resulting from an alcohol-related driving under the influence or physical control arrest may apply for an ignition interlock driver license. The applicant must submit proof that the device has been installed on all vehicles operated by the person, other than those of the applicant's employer. The applicant must also submit satisfactory proof of financial responsibility.

Any person who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver license is mandatory, other than vehicular homicide, vehicular assault, driving while under the influence of intoxicating liquor or any drug, or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, may submit to the Department of Licensing (DOL) an application for a temporary restricted driver's license. DOL may set restrictions regarding the driver's routes and specific hours of the day during which the license is valid.

An applicant for a temporary restricted driver license who qualifies is eligible to receive such license only if: (1) within the seven years immediately preceding the date of the offense that

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gave rise to the present conviction or incident, the applicant has not committed vehicular homicide or vehicular assault; and (2) it is required for work, education, or health care related purposes. The applicant must also file satisfactory proof of financial responsibility.

Summary of Bill (Recommended Substitute): A person who has not been licensed to drive, but otherwise qualifies for an ignition interlock driver license, may apply for an ignition interlock driver license by first meeting the qualifications and requirements, and paying the necessary fees, for a driver license. A person who has had driving privileges withheld for reasons in addition to a conviction or administrative action resulting from an alcohol-related driving under the influence or physical control arrest, must also meet the qualifications and pay the required fee for a temporary restricted driver license in order to obtain an ignition interlock driver license. An ignition interlock driver license issued to a person who has been issued a temporary restricted driver license is subject to any restrictions that have been imposed on the temporary restricted driver license.

EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Substitute): The title of the bill was changed.

Appropriation: None.

Fiscal Note: Requested on January 30, 2012.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: DOL has no ability to issue ignition interlock driver licenses or temporary restricted driver licenses to people who have never had a Washington driver license. This closes a gap in existing law for people who are moving to Washington or who have otherwise never had a Washington driver license. The parties worked with DOL to draft the language of the bill. This is good public policy because it allows people to get the appropriate license after proving their financial responsibility.

Persons Testifying: PRO: Senator Harper, prime sponsor; Michael Hanby, Public Defender's Assn., WA Assn. of Criminal Defense Lawyers; Dylan Doty, Muckleshoot Indian Tribe.