

SENATE BILL REPORT

EHB 1480

As of March 28, 2017

Title: An act relating to requiring additional criteria to be met for the department of licensing to suspend a driver's license.

Brief Description: Requiring additional criteria to be met for the department of licensing to suspend a driver's license.

Sponsors: Representatives Hayes, Riccelli, Irwin, Lovick, Holy and Santos.

Brief History: Passed House: 3/07/17, 96-1.

Committee Activity: Transportation: 3/28/17.

Brief Summary of Bill

- Requires that for non criminal offenses, a person's driver's license must be suspended for failure to respond to a notice of traffic infraction or for failure to comply with the terms of a notice of a traffic infraction only if the driver has one or more other outstanding traffic infractions for moving violations at the time the determination of suspension occurs.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: The Department of Licensing (DOL) must suspend a person's driver's license, whenever a person served with a traffic citation:

- fails to respond to a notice of traffic infraction for a moving violation,
- fails to appear at a requested hearing for a moving violation,
- violates a written promise to appear in court for a notice of a moving violation, or
- fails to comply with the terms of a moving violation,

A driver's license suspension for failure to respond or failure to comply with the terms of notice of traffic infraction remains in effect until DOL receives a certificate form the court showing that the case has be adjudicated and the person pays a reissuance fee of \$75. A suspension does not take effect if, prior to the effective date of the suspension, DOL receives a certificate form the court showing that the case has been adjudicated.

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.

Persons who drive a motor vehicle while his or her driver's license is suspended due to failure to respond to a notice of traffic infraction or for failure to comply with the terms of a notice of a traffic infraction are guilty of Driving While License Suspended or Revoked in the third degree, which is a misdemeanor. The fine for this offense is \$500.

Summary of Bill: For non criminal offenses, a person's driver's license must be suspended when the person fails to respond to a notice of traffic infraction or for failure to comply with the terms of a notice of a traffic infraction only if that driver has one or more other outstanding traffic infractions for moving violations at the time the determination of qualification to receive a suspension occurs.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2019.

Staff Summary of Public Testimony: PRO: My days in law enforcement led me to introduce this bill. When an officer pulls over a person and discovers that they have a suspended driver's license, it is often the case that the person did not even know that their license had been suspended. People forget to update their address or go off to college and don't get their mail and therefore don't receive the notice that tells them their license is about to be suspended.

The purpose of this bill is to help people who do not pay their ticket and do not realize that then their license is suspended. This bill also combats the situation of driving while poor for those who cannot afford to pay a ticket. The collection industry would like to work on amendatory language to further help people by allowing them to pay off one of their tickets if they are pulled over and cited for DWLS3 so that they could have the misdemeanor waived if they pay off at least one of their outstanding two tickets.

OTHER: We would like you to consider broadening this opportunity to people who fail to appear at a requested hearing or violates a written promise to appear in court as well. We don't really see a difference between someone who fails to respond—pay—a traffic ticket and someone who fails to appear in court after requesting the hearing for the traffic ticket. Also, there is a technical amendment that needs to be adopted to address some language related to criminal traffic citations that was inadvertently struck from the bill.

Persons Testifying: PRO: Representative Dave Hayes, Prime Sponsor; Chester Baldwin, WA Collectors Assn..

OTHER: Brady Horenstein, Administrative Office of the Courts.

Persons Signed In To Testify But Not Testifying: No one.