

# SENATE BILL REPORT

## 2SHB 2066

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As of February 28, 2020

**Title:** An act relating to restrictions on driver's licenses associated with certain criminal offenses.

**Brief Description:** Addressing restrictions on driver's licenses associated with certain criminal offenses.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Davis, Pellicciotti, Goodman, Appleton, Sutherland, Graham, Klippert, Leavitt and Pollet).

**Brief History:** Passed House: 2/18/20, 97-0.

**Committee Activity:** Law & Justice: 2/24/20, 2/27/20 [DP-TRAN].

Transportation: 3/02/20.

### Brief Summary of Bill

- Requires the Department of Licensing to revoke the driver license of a person convicted of a felony where the sentencing court determines that during the commission of the offense a motor vehicle was used in a manner that endangered persons or property.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass and be referred to Committee on Transportation.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy, Kuderer, Salomon and Wilson, L..

**Staff:** Tim Ford (786-7423)

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kim Johnson (786-7472)

**Background:** A person may not drive a motor vehicle on a roadway in Washington without having a valid driver's license. It is a criminal offense for a person to drive a motor vehicle while his or her driver's license is suspended or revoked.

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*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.*

The Department of Licensing (DOL) is required to revoke the license of a driver upon receiving notice of the driver's conviction of one of several offenses, including:

- vehicular homicide
- vehicular assault
- driving a motor vehicle while under the influence of alcohol or drugs;
- any felony in the commission of which a motor vehicle is used;
- failure to stop and give information or render aid as required by law;
- perjury or making a false affidavit or statement under oath to DOL; and
- reckless driving if the conviction is the driver's third conviction within a two year period.

Suspension of the driver's license is generally for a period of one calendar year. However, certain offenses provide a longer period, including vehicular homicide, vehicular assault, and driving under the influence. After the revocation period has expired, the person must reapply to DOL in order to receive a driver's license. DOL must be satisfied with the applicant's driving ability, and the applicant must provide proof of insurance and pay a reissue fee of \$75.

**Summary of Bill:** DOL is required to revoke the driver license of any driver for one calendar year for any felony where the sentencing court determines that in the commission of the offense a motor vehicle was used in a manner that endangered persons or property. This narrows the circumstances where DOL may revoke the license from current law.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Effective Date:** The bill takes effect on January 1, 2022.

**Staff Summary of Public Testimony (Law & Justice):** PRO: The language in this bill is what the Senate passed out of this committee last year. There is no public safety justification to take away a person's license when the motor vehicle was not central to the crime they committed. Revoking the license makes it difficult for them to comply with terms of community supervision, to attend work, to perform child care functions, to go school, and to go to mental health and substance abuse counseling. There is no discretion for a judge to not revoke a license when a crime is committed but the vehicle is not central to the crime.

**Persons Testifying (Law & Justice):** PRO: Representative Lauren Davis, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying (Law & Justice):** No one.

**Staff Summary of Public Testimony (Transportation):** PRO: This is the same bill that passed out of Senate Transportation last year. We were able to get the fiscal note down from \$250,000 to \$100,000. There are circumstances when a felony has nothing to do with the vehicle, and in those cases, there is no public safety reason for revoking a person's driver's

license. These people need to be able to continue to go to work and take their kids to daycare.

**Persons Testifying (Transportation):** PRO: Representative Lauren Davis, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying (Transportation):** No one.