

SENATE BILL REPORT

EHB 2066

As of March 28, 2019

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: Representatives Davis, Pellicciotti, Goodman, Appleton, Sutherland, Graham, Klippert, Leavitt and Pollet.

Brief History: Passed House: 3/07/19, 96-1.

Committee Activity: Law & Justice: 3/26/19.

Brief Summary of Bill

- Requires Department of Licensing to revoke the license of a person convicted of any felony in the commission of which a motor vehicle was used only when the sentencing court determines that community safety requires the revocation.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Shani Bauer (786-7468)

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.

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;

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.

- 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: When a driver is convicted of any felony in the commission of which a motor vehicle is used, DOL is required to revoke the license only when the sentencing court determines that community safety requires the revocation.

Appropriation: None.

Fiscal Note: Available.

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

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

Staff Summary of Public Testimony: PRO: This bill results from a request from a drug court judge who explained that the law requires revocation of person's driver's license if they are convicted of felony when a motor vehicle was used. The term "used" is overly broad. Examples may include where a person is a passenger of a vehicle in which a felony is committed. Even when an individual is found with stolen property in a vehicle, the person's license must be revoked. This simple change will mean a lot to those individuals who live in more rural areas and need transportation to get to work, treatment, or transport kids. The license should only be revoked where there is a true public safety need to do so. Judges retain the ability to revoke a person's license as appropriate.

Persons Testifying: PRO: Representative Lauren Davis, Prime Sponsor; Alex Hur, Washington Defender Association and Washington Association of Criminal Defense Lawyers; Eric Gonzalez Alfaro, American Civil Liberties Union of Washington.

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