

# SENATE BILL REPORT

## SB 5216

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As of January 24, 2023

**Title:** An act relating to collision reporting criteria triggering driver's license reexamination.

**Brief Description:** Addressing collision reporting criteria triggering driver's license reexamination.

**Sponsors:** Senators Frame, Liias, Billig, Hasegawa, Nobles and Wilson, C..

**Brief History:**

**Committee Activity:** Transportation: 1/24/23.

**Brief Summary of Bill**

- Modifies certain collision report criteria that triggers a driver's license reexamination.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Brandon Popovac (786-7465)

**Background:** Cooper Jones Act. In 1998, the Legislature enacted the Cooper Jones Act which, in part, established new police officer reporting requirements when a motor vehicle accident results in a fatality or serious injury, and that such a report must trigger a driver's license reexamination.

Police Officer Accident Reports. State and local police officers present at the scene of any accident, or in possession of facts concerning an accident, must make a report in the same manner required of the parties to the accident and as fully as the facts of the accident permit. Such a police officer must also report to the Department of Licensing (DOL) on a prescribed form:

- when a collision has occurred that results in a serious injury;
- the identity of the driver involved in the collision when the officer has reasonable

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- grounds to believe the driver who caused the serious injury may not be competent to operate a motor vehicle; and
- the reason or reasons for the officer's belief.

Driver's License Reexamination. If DOL has good cause to believe that a licensed driver is incompetent or otherwise not qualified to be licensed, DOL may upon notice require such driver to submit to an examination. DOL must also require a driver reported by a police officer for a collision in which a fatality or serious injury has occurred to submit to an examination. Upon conclusion of an examination, DOL must take driver improvement action as appropriate and may suspend or revoke the driver's license, permit the driver to retain the driver's license, or issue a driver's license subject to certain restrictions. DOL may also suspend or revoke the license of a driver who refuses or neglects to submit to an examination.

**Summary of Bill:** The criteria for when police officers are required to report certain accidents to DOL is modified to when a collision has occurred that results in substantial bodily harm as opposed to serious injury.

Substantial bodily harm is defined as bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or which causes a fracture of any bodily part.

**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 is part of a series of legislation addressing traffic safety. There has been a massive uptick in traffic fatalities over the past few years. The bill changes only one phrase to harmonize the statute with other similar statutes. The bill will keep dangerous drivers off the road and will save lives. There needs to be a focus on driving safety before considering traffic efficiency. Drivers who cause fatalities or serious injuries should be reexamined for licensing purposes. Behind every traffic fatality number is a tragic story. 745 persons were killed traveling on Washington streets last year. The bill will reconcile language so the original intent of Cooper Jones is fulfilled. The vehicular assault felony standard was updated in 2001 from serious injury to substantial bodily harm. The bill will allow DOL to look more closely at vehicular assault cases and begin the reexamination process before prosecution.

**Persons Testifying:** PRO: Senator Noel Frame, Prime Sponsor; Amy Freedheim, Senior DPA Felony Traffic; David Jones, Cooper Jones Active Transportation Safety Council;

Amber Weilert; Vicky Clarke, Washington Bikes.

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