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**SENATE BILL 5501**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Stanford, Saldaña, Hasegawa, and Nobles

Read first time 01/27/25. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to employer requirements for driving; amending  
2 RCW 49.58.090; adding a new section to chapter 49.58 RCW; and  
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.58  
6 RCW to read as follows:

7 (1) Unless an employer reasonably expects driving to be one of  
8 the essential job functions for a position, it is unlawful for an  
9 employer to:

10 (a) Require a valid driver's license as a condition of  
11 employment; or

12 (b) Include a statement in a posting for a job opening for the  
13 position that an applicant must have a valid driver's license.

14 (2)(a) The director must investigate complaints regarding  
15 compliance with this section and any related rules adopted under this  
16 chapter. The director may require the testimony of witnesses and  
17 production of documents as part of an investigation.

18 (b) If the director determines a violation occurred, the director  
19 may issue a citation and notice of assessment and order the employer  
20 to pay to the complainant actual damages; statutory damages equal to  
21 the actual damages or \$5,000, whichever is greater; interest of one

1 percent per month on all compensation owed; payment to the department  
2 of the costs of investigation and enforcement; and any other  
3 appropriate relief.

4 (c) In addition to the citation and notice of assessment, the  
5 director may order payment to the department of a civil penalty.

6 (i) For a first violation, the civil penalty may not exceed \$500.

7 (ii) For a repeat violation, the civil penalty may not exceed  
8 \$1,000 or 10 percent of the damages, whichever is greater.

9 (d) If the investigation finds that the complainant's allegation  
10 cannot be substantiated, the department shall issue a closure letter  
11 to the complainant and the employer detailing such finding.

12 (3) An appeal from the director's determination may be taken in  
13 accordance with chapter 34.05 RCW. An employee who prevails is  
14 entitled to costs and reasonable attorneys' fees.

15 (4) The department must deposit civil penalties paid under this  
16 section in the supplemental pension fund established under RCW  
17 51.44.033.

18 (5) Any wages and interest owed must be calculated from four  
19 years from the last violation before the complaint.

20 **Sec. 2.** RCW 49.58.090 and 2018 c 116 s 11 are each amended to  
21 read as follows:

22 The department may adopt rules to implement (~~RCW 49.58.005 and~~  
23 ~~49.58.020 through 49.58.060~~) this chapter.

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