

SSB 5732 - H COMM AMD  
By Committee on Transportation

ADOPTED 04/14/2009

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20 RCW  
4 to read as follows:

5 (1)(a) A person who violates RCW 46.20.342(1)(c)(iv) in a  
6 jurisdiction that does not have a relicensing diversion program shall  
7 be provided with an abstract of his or her driving record by the court  
8 or the prosecuting attorney, in addition to a list of his or her unpaid  
9 traffic offense related fines and the contact information for each  
10 jurisdiction or collection agency to which money is owed.

11 (b) A fee of up to twenty dollars may be imposed by the court in  
12 addition to any fee required by the department for provision of the  
13 driving abstract.

14 (2)(a) Superior courts or courts of limited jurisdiction in  
15 counties or cities are authorized to participate or provide relicensing  
16 diversion programs to persons who violate RCW 46.20.342(1)(c)(iv).

17 (b) Eligibility for the relicensing diversion program shall be  
18 limited to violators with no more than four convictions under RCW  
19 46.20.342(1)(c)(iv) in the ten years preceding the date of entering the  
20 relicensing diversion program, subject to a less restrictive rule  
21 imposed by the presiding judge of the county district court or  
22 municipal court. People subject to arrest under a warrant are not  
23 eligible for the diversion program.

24 (c) The diversion option may be offered at the discretion of the  
25 prosecuting attorney before charges are filed, or by the court after  
26 charges are filed.

27 (d) A person who is the holder of a commercial driver's license or  
28 who was operating a commercial motor vehicle at the time of the  
29 violation of RCW 46.20.342(1)(c)(iv) may not participate in the  
30 diversion program under this section.

1 (e) A relicensing diversion program that is structured to occur  
2 after charges are filed may charge participants a one-time fee of up to  
3 one hundred dollars, which is not subject to chapters 3.50, 3.62, and  
4 35.20 RCW, and shall be used to support administration of the program.  
5 The fee of up to one hundred dollars shall be included in the total to  
6 be paid by the participant in the relicensing diversion program.

7 (3) A relicensing diversion program shall be designed to assist  
8 suspended drivers to regain their license and insurance and pay  
9 outstanding fines.

10 (4)(a) Counties and cities that operate relicensing diversion  
11 programs shall, subject to available funds, provide information to the  
12 administrative office of the courts on an annual basis regarding the  
13 eligibility criteria used for the program, the number of referrals from  
14 law enforcement, the number of participants accepted into the program,  
15 the number of participants who regain their driver's license and  
16 insurance, the total amount of fines collected, the costs associated  
17 with the program, and other information as determined by the office.

18 (b) The administrative office of the courts is directed, subject to  
19 available funds, to compile and analyze the data required to be  
20 submitted in this section and develop recommendations for a best  
21 practices model for relicensing diversion programs."

22 Correct the title.

EFFECT: (1) Makes participation in or provision of relicensing  
diversion programs voluntary for all counties and cities regardless of  
population.

(2) Removes the requirement that the driving record abstracts  
provided be certified.

(3) Replaces the program's eligibility limitation of no more than  
four warrants in 10 years with an eligibility limitation of no more  
than four convictions in 10 years.

(4) Clarifies when the 10-year eligibility limitation period for  
multiple convictions is measured from.

(5) Makes the requirement to study the relicensing diversion  
program subject to available funds.

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