
HOUSE BILL 2534

State of Washington

54th Legislature

1996 Regular Session

By Representatives Sheahan, Dellwo, Sterk, Cody, Hickel, Morris and Thompson

Read first time 01/12/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to penalties for driving without a driver's
2 license; reenacting and amending RCW 46.20.021 and 46.63.020; and
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.20.021 and 1991 c 293 s 3 and 1991 c 73 s 1 are
6 each reenacted and amended to read as follows:

7 (1) No person, except as expressly exempted by this chapter, may
8 drive any motor vehicle upon a highway in this state unless the person
9 has a valid driver's license issued to Washington residents under the
10 provisions of this chapter. A violation of this subsection is ((a
11 misdemeanor and is a lesser included offense within the offenses
12 described in RCW 46.20.342(1) or 46.20.420)) an infraction, and is
13 subject to a penalty of two hundred fifty dollars.

14 (2) For the purposes of obtaining a valid driver's license, a
15 resident is a person who manifests an intent to live or be located in
16 this state on more than a temporary or transient basis. Evidence of
17 residency includes but is not limited to:

18 (a) Becoming a registered voter in this state; or

1 (b) Receiving benefits under one of the Washington public
2 assistance programs; or

3 (c) Declaring that he or she is a resident for the purpose of
4 obtaining a state license or tuition fees at resident rates.

5 (3) The term "Washington public assistance programs" referred to in
6 subsection (2)(b) of this section includes only public assistance
7 programs for which more than fifty percent of the combined costs of
8 benefits and administration are paid from state funds. Programs which
9 are not included within the term "Washington public assistance
10 programs" pursuant to the above criteria include, but are not limited
11 to the food stamp program under the federal food stamp act of 1964;
12 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771
13 through 1788; and aid to families with dependent children, 42 U.S.C.
14 Secs. 601 through 606.

15 (4) No person shall receive a driver's license unless and until he
16 or she surrenders to the department all valid driver's licenses in his
17 or her possession issued to him or her by any other jurisdiction. The
18 department shall establish a procedure to invalidate the surrendered
19 photograph license and return it to the person. The invalidated
20 license, along with the valid temporary Washington driver's license
21 provided for in RCW 46.20.055(3), shall be accepted as proper
22 identification. The department shall notify the issuing department
23 that the licensee is now licensed in a new jurisdiction. No person
24 shall be permitted to have more than one valid driver's license at any
25 time.

26 (5) New Washington residents are allowed thirty days from the date
27 they become residents as defined in this section to procure a valid
28 Washington driver's license.

29 (6) Any person licensed as a driver under this chapter may exercise
30 the privilege thereby granted upon all streets and highways in this
31 state and shall not be required to obtain any other license to exercise
32 such privilege by any county, municipal or local board, or body having
33 authority to adopt local police regulations.

34 (7) If a person cited for a violation of subsection (1) of this
35 section appears in person before the court or submits by mail, written
36 evidence that he or she obtained a valid driver's license after being
37 cited, the court shall reduce the penalty to fifty dollars.

1 **Sec. 2.** RCW 46.63.020 and 1995 1st sp.s. c 16 s 1, 1995 c 332 s
2 16, and 1995 c 256 s 25 are each reenacted and amended to read as
3 follows:

4 Failure to perform any act required or the performance of any act
5 prohibited by this title or an equivalent administrative regulation or
6 local law, ordinance, regulation, or resolution relating to traffic
7 including parking, standing, stopping, and pedestrian offenses, is
8 designated as a traffic infraction and may not be classified as a
9 criminal offense, except for an offense contained in the following
10 provisions of this title or a violation of an equivalent administrative
11 regulation or local law, ordinance, regulation, or resolution:

12 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
13 vehicle while under the influence of intoxicating liquor or a
14 controlled substance;

15 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

16 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
17 while under the influence of intoxicating liquor or narcotics or
18 habit-forming drugs or in a manner endangering the person of another;

19 (4) RCW 46.10.130 relating to the operation of snowmobiles;

20 (5) Chapter 46.12 RCW relating to certificates of ownership and
21 registration and markings indicating that a vehicle has been destroyed
22 or declared a total loss;

23 (6) RCW 46.16.010 relating to initial registration of motor
24 vehicles;

25 (7) RCW 46.16.011 relating to permitting unauthorized persons to
26 drive;

27 (8) RCW 46.16.160 relating to vehicle trip permits;

28 (9) RCW 46.16.381 (6) or (9) relating to unauthorized use or
29 acquisition of a special placard or license plate for disabled persons'
30 parking;

31 (10) (~~RCW 46.20.021 relating to driving without a valid driver's~~
32 ~~license;~~

33 ~~(11))~~ RCW 46.20.336 relating to the unlawful possession and use of
34 a driver's license;

35 ~~((12))~~ (11) RCW 46.20.342 relating to driving with a suspended or
36 revoked license or status;

37 ~~((13))~~ (12) RCW 46.20.410 relating to the violation of
38 restrictions of an occupational driver's license;

1 ~~((14))~~ (13) RCW 46.20.420 relating to the operation of a motor
2 vehicle with a suspended or revoked license;
3 ~~((15))~~ (14) RCW 46.20.750 relating to assisting another person to
4 start a vehicle equipped with an ignition interlock device;
5 ~~((16))~~ (15) RCW 46.25.170 relating to commercial driver's
6 licenses;
7 ~~((17))~~ (16) Chapter 46.29 RCW relating to financial
8 responsibility;
9 ~~((18))~~ (17) RCW 46.30.040 relating to providing false evidence of
10 financial responsibility;
11 ~~((19))~~ (18) RCW 46.37.435 relating to wrongful installation of
12 sunscreening material;
13 ~~((20))~~ (19) RCW 46.44.180 relating to operation of mobile home
14 pilot vehicles;
15 ~~((21))~~ (20) RCW 46.48.175 relating to the transportation of
16 dangerous articles;
17 ~~((22))~~ (21) RCW 46.52.010 relating to duty on striking an
18 unattended car or other property;
19 ~~((23))~~ (22) RCW 46.52.020 relating to duty in case of injury to
20 or death of a person or damage to an attended vehicle;
21 ~~((24))~~ (23) RCW 46.52.090 relating to reports by repairmen,
22 storagemen, and appraisers;
23 ~~((25))~~ (24) RCW 46.52.100 relating to driving under the influence
24 of liquor or drugs;
25 ~~((26))~~ (25) RCW 46.52.130 relating to confidentiality of the
26 driving record to be furnished to an insurance company, an employer,
27 and an alcohol/drug assessment or treatment agency;
28 ~~((27))~~ (26) RCW 46.55.020 relating to engaging in the activities
29 of a registered tow truck operator without a registration certificate;
30 ~~((28))~~ (27) RCW 46.55.035 relating to prohibited practices by tow
31 truck operators;
32 ~~((29))~~ (28) RCW 46.61.015 relating to obedience to police
33 officers, flagmen, or fire fighters;
34 ~~((30))~~ (29) RCW 46.61.020 relating to refusal to give information
35 to or cooperate with an officer;
36 ~~((31))~~ (30) RCW 46.61.022 relating to failure to stop and give
37 identification to an officer;
38 ~~((32))~~ (31) RCW 46.61.024 relating to attempting to elude
39 pursuing police vehicles;

1 ~~((+33+))~~ (32) RCW 46.61.500 relating to reckless driving;
2 ~~((+34+))~~ (33) RCW 46.61.502 and 46.61.504 relating to persons under
3 the influence of intoxicating liquor or drugs;
4 ~~((+35+))~~ (34) RCW ~~((46.61.5055 (section 5, chapter 332 (Substitute
5 Senate Bill No. 5141), Laws of 1995))~~ 46.61.503 relating to a person
6 under age twenty-one driving a motor vehicle after consuming alcohol;
7 ~~((+36+))~~ (35) RCW 46.61.520 relating to vehicular homicide by motor
8 vehicle;
9 ~~((+37+))~~ (36) RCW 46.61.522 relating to vehicular assault;
10 ~~((+38+))~~ (37) RCW 46.61.525 relating to negligent driving;
11 ~~((+39+))~~ (38) RCW 46.61.527(4) relating to reckless endangerment of
12 roadway workers;
13 ~~((+40+))~~ (39) RCW 46.61.530 relating to racing of vehicles on
14 highways;
15 ~~((+41+))~~ (40) RCW 46.61.685 relating to leaving children in an
16 unattended vehicle with the motor running;
17 ~~((+42+))~~ (41) RCW 46.64.010 relating to unlawful cancellation of or
18 attempt to cancel a traffic citation;
19 ~~((+43+))~~ (42) RCW 46.64.048 relating to attempting, aiding,
20 abetting, coercing, and committing crimes;
21 ~~((+44+))~~ (43) Chapter 46.65 RCW relating to habitual traffic
22 offenders;
23 ~~((+45+))~~ (44) Chapter 46.70 RCW relating to unfair motor vehicle
24 business practices, except where that chapter provides for the
25 assessment of monetary penalties of a civil nature;
26 ~~((+46+))~~ (45) Chapter 46.72 RCW relating to the transportation of
27 passengers in for hire vehicles;
28 ~~((+47+))~~ (46) Chapter 46.80 RCW relating to motor vehicle wreckers;
29 ~~((+48+))~~ (47) Chapter 46.82 RCW relating to driver's training
30 schools;
31 ~~((+49+))~~ (48) RCW 46.87.260 relating to alteration or forgery of a
32 cab card, letter of authority, or other temporary authority issued
33 under chapter 46.87 RCW;
34 ~~((+50+))~~ (49) RCW 46.87.290 relating to operation of an
35 unregistered or unlicensed vehicle under chapter 46.87 RCW.

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