

1 6233-S AMS MCAU S4920.1

2 **SSB 6233** - S AMD - 681

3 By Senators McAuliffe, Fairley, Hargrove and Rasmussen

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5 On page 1, line 15, after "hearing." insert "The department may
6 issue an occupational license pursuant to RCW 46.20.391 to a person
7 whose driving privileges are revoked under this section."

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11 On page 2, after line 34, insert the following:

12 "**Sec. 2.** RCW 46.20.391 and 1995 c 332 s 12 are each amended to
13 read as follows:

14 (1) Any person licensed under this chapter who is convicted of an
15 offense relating to motor vehicles for which suspension or revocation
16 of the driver's license is mandatory, other than vehicular homicide or
17 vehicular assault, or whose driver's license is revoked pursuant to RCW
18 46.20.265, may submit to the department an application for an
19 occupational driver's license. The department, upon receipt of the
20 prescribed fee and upon determining that the petitioner is engaged in
21 an occupation or trade that makes it essential that the petitioner
22 operate a motor vehicle, may issue an occupational driver's license and
23 may set definite restrictions as provided in RCW 46.20.394. No person
24 may petition for, and the department shall not issue, an occupational
25 driver's license that is effective during the first thirty days of any
26 suspension or revocation imposed for a violation of RCW 46.61.502 or
27 46.61.504. A person aggrieved by the decision of the department on the
28 application for an occupational driver's license may request a hearing
29 as provided by rule of the department.

30 (2) An applicant for an occupational driver's license is eligible
31 to receive such license only if:

32 (a) Within one year immediately preceding the date of the offense
33 that gave rise to the present conviction, the applicant has not

1 committed any offense relating to motor vehicles for which suspension
2 or revocation of a driver's license is mandatory; and

3 (b) Within five years immediately preceding the date of the offense
4 that gave rise to the present conviction, the applicant has not
5 committed any of the following offenses: (i) Driving or being in
6 actual physical control of a motor vehicle while under the influence of
7 intoxicating liquor; (ii) vehicular homicide under RCW 46.61.520; or
8 (iii) vehicular assault under RCW 46.61.522; and

9 (c) The applicant is engaged in an occupation or trade that makes
10 it essential that he or she operate a motor vehicle; and

11 (d) The applicant files satisfactory proof of financial
12 responsibility pursuant to chapter 46.29 RCW.

13 (3) The director shall cancel an occupational driver's license upon
14 receipt of notice that the holder thereof has been convicted of
15 operating a motor vehicle in violation of its restrictions, or of an
16 offense that pursuant to chapter 46.20 RCW would warrant suspension or
17 revocation of a regular driver's license. The cancellation is
18 effective as of the date of the conviction, and continues with the same
19 force and effect as any suspension or revocation under this title."

20 Renumber the sections consecutively and correct any internal
21 references accordingly.

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25 On page 1, line 2 of the title, after "46.20.265," insert
26 "46.20.391,"

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