

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6187**

Chapter 212, Laws of 1998

55th Legislature  
1998 Regular Session

DRIVING UNDER THE INFLUENCE--REISSUE FEE INCREASE--IMPAIRED  
DRIVING SAFETY ACCOUNT

EFFECTIVE DATE: 6/11/98

Passed by the Senate March 12, 1998  
YEAS 46 NAYS 0

BRAD OWEN

**President of the Senate**

Passed by the House March 10, 1998  
YEAS 93 NAYS 1

CLYDE BALLARD

**Speaker of the  
House of Representatives**

Approved March 30, 1998

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6187** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

**Secretary**

FILED

March 30, 1998 - 2:49 p.m.

GARY LOCKE

**Governor of the State of Washington**

**Secretary of State  
State of Washington**

---

ENGROSSED SUBSTITUTE SENATE BILL 6187

---

AS AMENDED BY THE HOUSE

Passed Legislature - 1998 Regular Session

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Stevens, Oke, Schow, Benton, Zarelli and Swecker)

Read first time 1/23/98.

1 AN ACT Relating to alcohol; amending RCW 46.20.311 and 46.20.391;  
2 adding a new section to chapter 46.68 RCW; and prescribing penalties.

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

4 **Sec. 1.** RCW 46.20.311 and 1997 c 58 s 807 are each amended to read  
5 as follows:

6 (1)(a) The department shall not suspend a driver's license or  
7 privilege to drive a motor vehicle on the public highways for a fixed  
8 period of more than one year, except as specifically permitted under  
9 RCW 46.20.342 or other provision of law. Except for a suspension under  
10 RCW 46.20.289, 46.20.291(5), or 74.20A.320, whenever the license or  
11 driving privilege of any person is suspended by reason of a conviction,  
12 a finding that a traffic infraction has been committed, pursuant to  
13 chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the  
14 suspension shall remain in effect until the person gives and thereafter  
15 maintains proof of financial responsibility for the future as provided  
16 in chapter 46.29 RCW. If the suspension is the result of a violation  
17 of RCW 46.61.502 or 46.61.504, the department shall determine the  
18 person's eligibility for licensing based upon the reports provided by  
19 the alcoholism agency or probation department designated under RCW

1 46.61.5056 and shall deny reinstatement until enrollment and  
2 participation in an approved program has been established and the  
3 person is otherwise qualified. Whenever the license or driving  
4 privilege of any person is suspended as a result of certification of  
5 noncompliance with a child support order under chapter 74.20A RCW or a  
6 residential or visitation order, the suspension shall remain in effect  
7 until the person provides a release issued by the department of social  
8 and health services stating that the person is in compliance with the  
9 order.

10 (b)(i) The department shall not issue to the person a new,  
11 duplicate, or renewal license until the person pays a reissue fee of  
12 twenty dollars.

13 (ii) If the suspension is the result of a violation of RCW  
14 46.61.502 or 46.61.504, or is the result of administrative action under  
15 RCW 46.20.308, the reissue fee shall be one hundred fifty dollars.

16 (2)(a) Any person whose license or privilege to drive a motor  
17 vehicle on the public highways has been revoked, unless the revocation  
18 was for a cause which has been removed, is not entitled to have the  
19 license or privilege renewed or restored until: ~~((a))~~ (i) After the  
20 expiration of one year from the date the license or privilege to drive  
21 was revoked; ~~((b))~~ (ii) after the expiration of the applicable  
22 revocation period provided by RCW 46.20.3101 or 46.61.5055; ~~((c))~~  
23 (iii) after the expiration of two years for persons convicted of  
24 vehicular homicide; or ~~((d))~~ (iv) after the expiration of the  
25 applicable revocation period provided by RCW 46.20.265.

26 (b)(i) After the expiration of the appropriate period, the person  
27 may make application for a new license as provided by law together with  
28 a reissue fee in the amount of twenty dollars~~((, but))~~.

29 (ii) If the revocation is the result of a violation of RCW  
30 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be one  
31 hundred fifty dollars. If the revocation is the result of a violation  
32 of RCW 46.61.502 or 46.61.504, the department shall determine the  
33 person's eligibility for licensing based upon the reports provided by  
34 the alcoholism agency or probation department designated under RCW  
35 46.61.5056 and shall deny reissuance of a license, permit, or privilege  
36 to drive until enrollment and participation in an approved program has  
37 been established and the person is otherwise qualified.

38 (c) Except for a revocation under RCW 46.20.265, the department  
39 shall not then issue a new license unless it is satisfied after

1 investigation of the driving ability of the person that it will be safe  
2 to grant the privilege of driving a motor vehicle on the public  
3 highways, and until the person gives and thereafter maintains proof of  
4 financial responsibility for the future as provided in chapter 46.29  
5 RCW. For a revocation under RCW 46.20.265, the department shall not  
6 issue a new license unless it is satisfied after investigation of the  
7 driving ability of the person that it will be safe to grant that person  
8 the privilege of driving a motor vehicle on the public highways.

9 (3)(a) Whenever the driver's license of any person is suspended  
10 pursuant to Article IV of the nonresident violators compact or RCW  
11 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue  
12 to the person any new or renewal license until the person pays a  
13 reissue fee of twenty dollars.

14 (b) If the suspension is the result of a violation of the laws of  
15 this or any other state, province, or other jurisdiction involving  
16 (~~((a))~~) (i) the operation or physical control of a motor vehicle upon  
17 the public highways while under the influence of intoxicating liquor or  
18 drugs, or (~~((b))~~) (ii) the refusal to submit to a chemical test of the  
19 driver's blood alcohol content, the reissue fee shall be one hundred  
20 fifty dollars.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.68 RCW  
22 to read as follows:

23 The impaired driving safety account is created in the custody of  
24 the state treasurer. All receipts from fees collected under RCW  
25 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be deposited  
26 according to RCW 46.68.041. Expenditures from this account may be used  
27 only to fund projects to reduce impaired driving and to provide funding  
28 to local governments for costs associated with enforcing laws relating  
29 to driving and boating while under the influence of intoxicating liquor  
30 or any drug. The account is subject to allotment procedures under  
31 chapter 43.88 RCW. Moneys in the account may be spent only after  
32 appropriation.

33 **Sec. 3.** RCW 46.68.041 and 1995 2nd sp.s. c 3 s 1 are each amended  
34 to read as follows:

35 (1) Except as provided in subsection (2) of this section, the  
36 department shall forward all funds accruing under the provisions of  
37 chapter 46.20 RCW together with a proper identifying, detailed report

1 to the state treasurer who shall deposit such moneys to the credit of  
2 the highway safety fund.

3 (2) Sixty-three percent of each fee collected by the department  
4 under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be  
5 deposited in the impaired driving safety account.

Passed the Senate March 12, 1998.

Passed the House March 10, 1998.

Approved by the Governor March 30, 1998.

Filed in Office of Secretary of State March 30, 1998.