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

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

APPROVED

GARY LOCKE
Governor of the State of Washington

FILED

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

Secretary of State
State of Washington
AN ACT Relating to alcohol; amending RCW 46.20.311 and 46.20.391; adding a new section to chapter 46.68 RCW; and prescribing penalties.

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

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

(1)(a) The department shall not suspend a driver’s license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as specifically permitted under RCW 46.20.342 or other provision of law. Except for a suspension under RCW 46.20.289, 46.20.291(5), or 74.20A.320, whenever the license or driving privilege of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, pursuant to chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the suspension shall remain in effect until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, the department shall determine the person’s eligibility for licensing based upon the reports provided by the alcoholism agency or probation department designated under RCW
46.61.5056 and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified. Whenever the license or driving privilege of any person is suspended as a result of certification of noncompliance with a child support order under chapter 74.20A RCW or a residential or visitation order, the suspension shall remain in effect until the person provides a release issued by the department of social and health services stating that the person is in compliance with the order.

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

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

(2)(a) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (((a))) (i) After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

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

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

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

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

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

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

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

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

(1) Except as provided in subsection (2) of this section, the
department shall forward all funds accruing under the provisions of
chapter 46.20 RCW together with a proper identifying, detailed report
to the state treasurer who shall deposit such moneys to the credit of
the highway safety fund.

(2) Sixty-three percent of each fee collected by the department
under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be
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.