

1 **Sec. 2.** RCW 46.04.168 and 1999 c 6 s 2 are each amended to read as
2 follows:

3 "Driving privilege withheld" or any form of the verb "withhold," in
4 conjunction with the phrase "driving privilege," means that the
5 department proposes to revoke, suspend, or deny or has revoked,
6 suspended, or denied a person's Washington state driver's license,
7 permit to drive, driving privilege, or nonresident driving privilege.

8 **Sec. 3.** RCW 46.20.049 and 1999 c 308 s 4 are each amended to read
9 as follows:

10 There (~~shall be an additional~~) is a fee for issuing any class of
11 commercial driver's license in addition to the prescribed fee required
12 for the issuance of the original driver's license. The (~~additional~~)
13 fee for each class (~~shall~~) may not exceed twenty dollars for the
14 original commercial driver's license or subsequent renewals, unless the
15 commercial driver's license is renewed or extended for a period other
16 than five years, in which case the fee for each class (~~shall~~) may not
17 exceed four dollars for each year that the commercial driver's license
18 is renewed or extended. (~~The fee shall be deposited in the highway~~
19 ~~safety fund.~~)

20 **Sec. 4.** RCW 46.20.207 and 1993 c 501 s 3 are each amended to read
21 as follows:

22 (1) The department (~~is authorized to~~) may cancel any driver's
23 license (~~upon determining that~~) if:

24 (a) The licensee was not entitled to the issuance of the license(~~(~~
25 ~~or that))~~);

26 (b) The licensee failed to give the required or correct information
27 in his or her application(~~(~~);) or (~~that~~);

28 (c) The licensee is incompetent to drive a motor vehicle for any of
29 the reasons under RCW 46.20.031 (4) and (7).

30 (2) Upon (~~such~~) cancellation, the licensee must surrender the
31 license (~~so canceled~~) to the department.

32 **Sec. 5.** RCW 46.20.215 and 1979 ex.s. c 136 s 57 are each amended
33 to read as follows:

34 (1) The department may withhold the driving privilege of (~~driving~~
35 ~~a motor vehicle on the highways of this state given to~~) a nonresident
36 (~~hereunder shall be subject to suspension or revocation by the~~

1 ~~department in like manner and for like cause as))~~ in the same manner
2 that a ((driver's license)) driving privilege issued ((hereunder))
3 under this chapter may be ((suspended or revoked)) withheld.

4 (2) The department shall, upon receiving a record of the conviction
5 in this state of a nonresident driver of a motor vehicle of any offense
6 under the motor vehicle laws of this state, forward a report of
7 ((such)) the conviction to the motor vehicle administrator in the state
8 ((wherein)) where the person ((so)) convicted ((is a resident. —Such))
9 resides or is licensed. The report ((shall)) must:

10 (a) Clearly identify the person convicted;

11 (b) Describe the violation specifying the section of the statute,
12 code, or ordinance violated;

13 (c) Identify the court in which action was taken; and

14 (d) Indicate whether a plea of guilty or not guilty was entered, or
15 whether the conviction was a result of the forfeiture of bail, bond, or
16 other security.

17 (3) The department shall, upon receiving a record of the commission
18 of a traffic infraction in this state by a nonresident driver of a
19 motor vehicle, forward a report of the traffic infraction to the motor
20 vehicle administrator in the state where the person who committed the
21 infraction resides or is licensed. The report ((shall)) must:

22 (a) Clearly identify the person found to have committed the
23 infraction;

24 (b) Describe the infraction, specifying the section of the statute,
25 code, or ordinance violated;

26 (c) Identify the court in which action was taken; and

27 (d) Indicate whether the determination that an infraction was
28 committed was contested or whether the individual failed to respond to
29 the notice of infraction.

30 **Sec. 6.** RCW 46.20.292 and 1979 c 61 s 8 are each amended to read
31 as follows:

32 The department may ~~((suspend, revoke,))~~ (a) withhold the driving
33 privilege of a person or (b) restrict((,)) or condition any driver's
34 license upon a showing of its records that the licensee has been found
35 by a juvenile court, chief probation officer, or any other duly
36 authorized officer of a juvenile court to have committed any offense
37 ((or offenses which)) that under Title 46 RCW ((constitutes grounds for
38 said)) warrants the action.

1 **Sec. 7.** RCW 46.20.293 and 1999 c 86 s 3 are each amended to read
2 as follows:

3 The department ~~((is authorized to))~~ may provide juvenile courts
4 with the department's record of traffic charges compiled under RCW
5 46.52.101 and 13.50.200, against any minor upon the request of any
6 state juvenile court or duly authorized officer of any juvenile court
7 of this state. Further, the department ~~((is authorized to))~~ may
8 provide any juvenile court with any requested service ~~((which))~~ that
9 the department can reasonably perform ~~((which)),~~ that is not
10 inconsistent with its legal authority ~~((which)),~~ that substantially
11 aids juvenile courts in handling traffic cases, and ~~((which))~~ that
12 promotes highway safety.

13 The department ~~((is authorized to))~~ may furnish to the parent,
14 parents, or guardian of any person under eighteen years of age who is
15 not emancipated from ~~((such))~~ the parent, parents, or guardian, the
16 department records of traffic charges compiled against the person and
17 shall collect for the copy a fee of four dollars and fifty cents, to be
18 deposited in the highway safety fund.

19 **Sec. 8.** RCW 46.20.300 and 1989 c 337 s 7 are each amended to read
20 as follows:

21 The ~~((director of licensing))~~ department shall ~~((suspend, revoke,))~~
22 withhold the driving privileges or cancel the ~~((vehicle))~~ driver's
23 license of any resident of this state upon receiving notice of the
24 conviction of ~~((such))~~ the person in another state of an offense
25 ~~((therein which))~~ that, if committed in this state, would ~~((be ground~~
26 ~~for the suspension or revocation of the vehicle driver's license. The~~
27 ~~director may further, upon receiving a record of the conviction in this~~
28 ~~state of a nonresident driver of a motor vehicle of any offense under~~
29 ~~the motor vehicle laws of this state, forward a certified copy of such~~
30 ~~record to the motor vehicle administrator in the state of which the~~
31 ~~person so convicted is a resident; such record to consist of a copy of~~
32 ~~the judgment and sentence in the case))~~ warrant withholding the driving
33 privilege.

34 **Sec. 9.** RCW 46.20.311 and 1998 c 212 s 1 are each amended to read
35 as follows:

36 (1)(a) **Duration of license suspension.** The department ~~((shall))~~
37 may not suspend a driver's license or privilege to drive a motor

1 vehicle on the public highways for a fixed period of more than one
2 year, except as (~~specifically~~) otherwise permitted (~~under RCW~~
3 ~~46.20.342 or other provision of~~) by law. Except for a suspension
4 under Article IV of the nonresident violators compact, RCW 46.20.289,
5 46.20.291(5), 46.23.020, or 74.20A.320, (~~whenever~~) if the license or
6 driving privilege of any person is suspended by reason of a conviction,
7 a finding that a traffic infraction has been committed, (~~pursuant to~~)
8 under chapter 46.29 RCW, or (~~pursuant to~~) under RCW 46.20.291 or
9 46.20.308, the suspension (~~shall~~) remains in effect until the person
10 gives and (~~thereafter~~) maintains proof of financial responsibility
11 for the future as provided in chapter 46.29 RCW. If the suspension is
12 the result of a violation of RCW 46.61.502 or 46.61.504, the department
13 shall determine the person's eligibility for licensing based upon the
14 reports provided by the alcoholism agency or probation department
15 designated under RCW 46.61.5056 and shall deny reinstatement until
16 enrollment and participation in an approved program has been
17 established and the person is otherwise qualified. (~~Whenever~~) If the
18 license or driving privilege of any person is suspended as a result of
19 certification of noncompliance with a child support order under chapter
20 74.20A RCW or a residential or visitation order, the suspension
21 (~~shall~~) remains in effect until the person provides a release issued
22 by the department of social and health services stating that the person
23 is in compliance with the order.

24 (b) **Reissue fee.** If a licensee whose license has been suspended
25 qualifies for reinstatement under this chapter, he or she must pay a
26 reissue fee in order to receive a driver's license.

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

30 (ii)) If the suspension is the result of a violation of RCW
31 46.61.502 or 46.61.504, or is the result of administrative action under
32 RCW 46.20.308, or a violation of the laws of this or any other state,
33 province, or other jurisdiction involving (A) the operation or physical
34 control of a motor vehicle upon the public highways while under the
35 influence of intoxicating liquor or drugs, or (B) the refusal to submit
36 to a chemical test of the driver's blood alcohol content, the reissue
37 fee (~~shall be~~) is one hundred fifty dollars.

38 (ii) If the suspension is for any other reason, the reissue fee is
39 twenty dollars.

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

11 (b) **Restoration of revoked license.**

12 (i) After the expiration of the appropriate period, ~~((the))~~ a
13 person may ~~((make application))~~ apply for a new license as provided by
14 law together with ~~((a))~~ the reissue fee in the amount of twenty
15 dollars.

16 (ii) If the revocation is the result of a violation of RCW
17 46.20.308, 46.61.502, or 46.61.504, the reissue fee ~~((shall be))~~ is one
18 hundred fifty dollars. If the revocation is the result of a violation
19 of RCW 46.61.502 or 46.61.504, the department shall determine the
20 person's eligibility for licensing based upon the reports provided by
21 the alcoholism agency or probation department designated under RCW
22 46.61.5056 and shall deny reissuance of a license, permit, or privilege
23 to drive until enrollment and participation in an approved program has
24 been established and the person is otherwise qualified.

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

32 (iv) For a revocation under RCW 46.20.265, the department ~~((shall))~~
33 may not issue a new license unless it is satisfied after investigation
34 of the driving ability of the person that it will be safe to grant that
35 person the privilege of driving a motor vehicle on the public highways.

36 ~~((3)(a) Whenever the driver's license of any person is suspended
37 pursuant to Article IV of the nonresident violators compact or RCW
38 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue~~

1 to the person any new or renewal license until the person pays a
2 reissue fee of twenty dollars.

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

9 **Sec. 10.** RCW 46.20.315 and 1985 c 302 s 1 are each amended to read
10 as follows:

11 ((The department upon suspending or revoking a license shall
12 require that such license shall be surrendered to and be retained by))
13 A person whose driving privilege has been withheld must surrender his
14 or her license or permit to the department.

15 **Sec. 11.** RCW 46.20.317 and 1975-'76 2nd ex.s. c 29 s 2 are each
16 amended to read as follows:

17 The department ((is hereby authorized to)) may place any unlicensed
18 person into a suspended or revoked status under any circumstances
19 ((which)) that would have resulted in the suspension or revocation of
20 the driver's license had that person been licensed.

21 **Sec. 12.** RCW 46.20.320 and 1967 c 32 s 30 are each amended to read
22 as follows:

23 ((Any suspension, revocation,)) Withholding the driving privilege
24 or cancellation of a ((vehicle)) driver's license ((shall be in effect
25 notwithstanding)) is effective regardless of whether the
26 ((certificate)) driver's license itself ((is not)) has been delivered
27 ((over)) to, or is in the possession ((thereof obtained by)) of, a
28 court, an officer, or the director.

29 **Sec. 13.** RCW 46.20.322 and 1979 c 61 s 10 are each amended to read
30 as follows:

31 (1) ((Whenever the department proposes to suspend or revoke the
32 driving privilege of any person or proposes to impose terms of
33 probation on a person's driving privilege or proposes to refuse to
34 renew a driver's license, notice and an opportunity for a driver

1 improvement interview shall be given before taking such action, except
2 as provided in RCW 46.20.324 and 46.20.325.

3 ~~(2) Whenever the department proposes to suspend, revoke, restrict,~~
4 ~~or condition a minor driver's driving privilege the department may~~
5 ~~require the appearance of the minor's legal guardian or father or~~
6 ~~mother, otherwise the parent or guardian having))~~ Except as provided
7 in RCW 46.20.324 and 46.20.325, the department must provide notice and
8 an opportunity for a driver improvement interview if it proposes to:

9 (a) Withhold the driving privilege of a person other than for
10 failure of a test required under this chapter; or

11 (b) Impose terms of probation on a person's driving privilege.

12 (2) If the person affected under subsection (1) of this section is
13 a minor, the department may require the appearance of the parent or
14 guardian who has custody of the minor.

15 **Sec. 14.** RCW 46.20.323 and 1965 ex.s. c 121 s 30 are each amended
16 to read as follows:

17 The notice ~~((shall))~~ of a driver improvement interview must contain
18 a statement setting forth the proposed action and the grounds therefor,
19 and notify the person to appear for a driver improvement interview not
20 less than ten days from the date notice is given.

21 **Sec. 15.** RCW 46.20.325 and 1965 ex.s. c 121 s 32 are each amended
22 to read as follows:

23 ~~((In the alternative to the procedure set forth in RCW 46.20.322~~
24 ~~and 46.20.323))~~ The department((,)) shall immediately suspend a
25 person's driving privilege or impose reasonable terms and conditions of
26 probation consistent with the safe operation of a motor vehicle
27 whenever it determines from its records or other sufficient evidence
28 that the safety of persons upon the highways requires ((such)) that
29 action((, shall forthwith and without a driver improvement interview
30 suspend the privilege of a person to operate a motor vehicle or impose
31 reasonable terms and conditions of probation consistent with the safe
32 operation of a motor vehicle)). The department shall ~~((in such case,))~~
33 immediately notify ((such)) the licensee in writing and ((upon his
34 request)), if requested in writing, shall afford ((him)) the licensee
35 an opportunity for a driver improvement interview as early as practical
36 ((within not to exceed)), but not more than seven days after receipt of
37 ((such)) the request((, or)). Alternatively, the department, at the

1 time it gives notice, may set the date of a driver improvement
2 interview(~~(, giving not less than ten days' notice thereof))~~ to be held
3 not less than ten days from the date notice is given. A driver
4 improvement interview is not required before license suspension or
5 restriction under this section.

6 **Sec. 16.** RCW 46.20.326 and 1990 c 250 s 46 are each amended to
7 read as follows:

8 ~~((Failure))~~ (1) A driver waives the opportunity for a driver
9 improvement interview if he or she (a) fails to appear for a driver
10 improvement interview at the time and place stated by the department in
11 its notice as provided in RCW 46.20.322 and 46.20.323; or ((failure))
12 (b) fails to request a driver improvement interview within ten days as
13 provided in RCW 46.20.325 ((constitutes a waiver of a driver
14 improvement interview, and)).

15 (2) In the event of a waiver, the department may:

16 (a) Take action without ((such)) the driver improvement
17 interview(~~(, or the department may, upon request of the person whose~~
18 privilege to drive may be affected, or at its own option, re-open));

19 (b) Reopen the case, take evidence, or change or set aside any
20 order ((theretofore made,)); or

21 (c) Grant a driver improvement interview.

22 (3) Action under subsection (2)(b) of this section may be taken
23 upon request of the person whose privilege to drive may be affected, or
24 at the department's option.

25 **Sec. 17.** RCW 46.20.327 and 1965 ex.s. c 121 s 34 are each amended
26 to read as follows:

27 A driver improvement interview ~~((shall))~~ must be conducted in a
28 completely informal manner before a driver improvement analyst sitting
29 as a referee(~~(. The applicant or licensee shall have the right to make~~
30 ~~or file a written answer or statement in which he may controvert any~~
31 ~~point at issue, and present any evidence or arguments for the~~
32 ~~consideration of the department pertinent to the action taken or~~
33 ~~proposed to be taken or the grounds therefor. The department may~~
34 ~~consider its records relating to the applicant or licensee. The driver~~
35 ~~improvement interview shall)), and is not ((be deemed)) an agency
36 hearing. The department shall consider:~~

- 1 (1) Any answer or evidence presented by the applicant or licensee;
2 and
3 (2) Its own records.

4 **Sec. 18.** RCW 46.20.328 and 1979 c 61 s 11 are each amended to read
5 as follows:

6 (1) Upon the conclusion of a driver improvement interview, the
7 department's referee shall make findings on the matter under
8 consideration and shall notify the person involved of the findings, in
9 writing and by personal service ((of the findings)) or by certified
10 mail. ((The referee's findings shall be final unless the person
11 involved is notified to the contrary by personal service or by
12 certified mail within fifteen days.)) The decision is effective upon
13 notice. The person upon receiving such notice may, in writing and
14 within ten days, request a formal hearing.

15 (2) The department may reconsider the decision of the referee. If
16 the department reverses the referee's decision, it must notify the
17 person involved by personal service or certified mail within fifteen
18 days of the date of the referee's decision.

19 **Sec. 19.** RCW 46.20.329 and 1982 c 189 s 4 are each amended to read
20 as follows:

21 (1) **Setting the hearing.** Upon receiving a request for a formal
22 hearing ((as provided in)) under RCW 46.20.328, the department shall
23 ((fix a time and place for)) arrange a hearing as early as ((may be
24 arranged)) possible in the county where the applicant or licensee
25 resides((, and)). The department shall give ten days' notice of the
26 hearing to the applicant or licensee, except that the applicant or
27 licensee may agree to set the hearing ((may be set)) for a different
28 place ((with the concurrence of the applicant or licensee and)) or
29 waive the period of notice ((may be waived)).

30 (2) **Stay.** Any decision by the department suspending or revoking a
31 person's driving privilege ((shall be)) is stayed and ((shall)) does
32 not take effect ((while a formal hearing is pending as herein provided
33 or)) during the pendency of a formal hearing or subsequent appeal to
34 superior court((: PROVIDED, That this)). The stay ((shall be)) is
35 effective only so long as there is no conviction of a moving violation
36 or a finding that the person has committed a traffic infraction
37 ((which)) that is a moving violation during pendency of hearing and

1 appeal(~~(:— PROVIDED FURTHER, That nothing in this section shall be~~
2 ~~construed as prohibiting)~~). The department (~~(from seeking)~~) may seek
3 an order setting aside the stay during the pendency of (~~(such)~~) an
4 appeal in those cases where the action of the department is based upon
5 physical or mental incapacity, or a failure to successfully complete an
6 examination required by this chapter.

7 (~~(A formal hearing shall be conducted by the director or by a~~
8 ~~person or persons appointed by the director from among the employees of~~
9 ~~the department.)~~)

10 **Sec. 20.** RCW 46.20.331 and 1989 c 175 s 111 are each amended to
11 read as follows:

12 The (~~(director may appoint a designee, or designees, to preside~~
13 ~~over hearings in adjudicative proceedings that may result in the~~
14 ~~denial, restriction, suspension, or revocation of a driver's license or~~
15 ~~driving privilege, or in the imposition of requirements to be met prior~~
16 ~~to issuance or reissuance of a driver's license, under Title 46 RCW)~~)
17 formal hearing must be conducted by a person or persons appointed by
18 the director from among the employees of the department. The director
19 may delegate to any such (~~(designees)~~) appointee the authority to
20 render the final decision of the department in (~~(such)~~) the
21 proceedings. Chapter 34.12 RCW (~~(shall)~~) does not apply to (~~(such)~~)
22 these proceedings.

23 **Sec. 21.** RCW 46.20.332 and 1972 ex.s. c 29 s 2 are each amended to
24 read as follows:

25 (1) At a formal hearing the department:
26 (a) Shall consider its records (~~(and)~~);
27 (b) May receive sworn testimony (~~(and)~~);
28 (c) May issue subpoenas for the attendance of witnesses and the
29 production of relevant books and papers (~~(in the manner and subject to~~
30 ~~the conditions provided in)~~) under chapter 5.56 RCW (~~(relating to the~~
31 ~~issuance of subpoenas.— In addition the department)~~); and
32 (d) May require a reexamination of the licensee or applicant.
33 (2) Proceedings at a formal hearing (~~(shall)~~) must be recorded
34 stenographically or by mechanical device. Upon the conclusion of a
35 formal hearing, if not heard by (~~(the director or)~~) a person authorized
36 by (~~(him)~~) the director to make final decisions regarding (~~(the~~
37 ~~issuance, denial, suspension or revocation of licenses)~~) withholding of

1 driving privileges, the referee (~~(or board)~~) shall make findings on the
2 matters under consideration and may prepare and submit recommendations
3 to the (~~(director or such)~~) person (~~(designated)~~) authorized by the
4 director (~~(who is authorized)~~) to make final decisions regarding (~~(the~~
5 ~~issuance, denial, suspension, or revocation of licenses)~~) withholding
6 of driving privileges.

7 **Sec. 22.** RCW 46.20.333 and 1972 ex.s. c 29 s 3 are each amended to
8 read as follows:

9 In all cases not heard by (~~(the director or)~~) a person authorized
10 by (~~(him)~~) the director to make final decisions regarding (~~(the~~
11 ~~issuance, denial, suspension, or revocation of licenses the director,~~
12 ~~or)~~) withholding of driving privileges, a person so authorized shall
13 review the records, evidence, and the findings after a formal hearing,
14 and shall:

15 (1) Render a decision sustaining, modifying, or reversing the order
16 (~~(of suspension or revocation or the refusal to grant, or)~~) withholding
17 the driving privilege;

18 (2) Renew a license or the order imposing terms or conditions of
19 probation(~~(7)~~); or (~~(may)~~)

20 (3) Set aside the prior action of the department and (~~(may)~~) direct
21 that probation be granted to the applicant or licensee (~~(and in such~~
22 case may fix)) fixing the terms and conditions of the probation.

23 **Sec. 23.** RCW 46.20.334 and 1972 ex.s. c 29 s 4 are each amended to
24 read as follows:

25 (~~(Any person denied a license or a renewal of a license or whose~~
26 ~~license has been suspended or revoked by the department except where~~
27 ~~such suspension or revocation is mandatory under the provisions of this~~
28 ~~chapter shall have the right within thirty days, after receiving notice~~
29 ~~of the decision following a formal hearing to file a notice of appeal~~
30 ~~in the superior court in the county of his residence. The hearing on~~
31 ~~the appeal hereunder shall be)) (1) If the department withholds the
32 driving privilege of a person, the person may appeal except where the
33 suspension or revocation is mandatory under this chapter.~~

34 (2) The petitioner must file the notice of appeal (a) in the
35 superior court in the county where the petitioner resides and (b)
36 within thirty days after receiving notice of the decision after a
37 formal hearing.

1 (3) The standard of review on appeal is de novo.

2 **Sec. 24.** RCW 46.20.335 and 1965 ex.s. c 121 s 40 are each amended
3 to read as follows:

4 (~~Whenever by any provision of this chapter~~) If the department has
5 discretionary authority under this chapter to (~~suspend or revoke~~)
6 withhold the driving privilege of a person (~~to operate a motor~~
7 ~~vehicle~~), the department may (~~in lieu of a suspension or revocation~~)
8 instead place the person on probation, the terms of which may include
9 a suspension as a condition of probation, (~~and~~) upon (~~such other~~)
10 reasonable terms and conditions (~~as shall be~~) deemed appropriate by
11 the department (~~to be appropriate~~).

12 **Sec. 25.** RCW 46.20.380 and 1985 ex.s. c 1 s 6 are each amended to
13 read as follows:

14 (~~No person may file an application for an occupational driver's~~
15 ~~license as provided in RCW 46.20.391 unless he or she first pays to the~~
16 ~~director or other person authorized to accept applications and fees for~~
17 ~~driver's licenses~~) An applicant for an occupational driver's license
18 under RCW 46.20.391 must pay a fee of twenty-five dollars. Upon
19 payment, the applicant (~~shall~~) will receive (~~upon payment~~) an
20 official receipt for the payment of (~~such~~) the fee. (~~All such fees~~
21 ~~shall be forwarded to the director who shall transmit such fees to the~~
22 ~~state treasurer in the same manner as other driver's license fees.~~)

23 **Sec. 26.** RCW 46.20.394 and 1999 c 272 s 2 are each amended to read
24 as follows:

25 (1) In issuing an occupational driver's license under RCW
26 46.20.391, the department shall describe the type of occupation
27 permitted and shall set forth in detail:

28 (a) The specific hours of the day during which the person may drive
29 to and from his or her place of work, which may not exceed twelve hours
30 in any one day;

31 (b) The days of the week during which the license may be used; and

32 (c) The general routes over which the person may travel.

33 (2) In issuing an occupational driver's license under RCW
34 46.20.391(2)(a)(iv), the department shall set forth in detail:

1 (a) The specific hours during which the person may drive to and
2 from substance abuse treatment or meetings of a twelve-step group such
3 as Alcoholics Anonymous((~~τ~~));

4 (b) The days of the week during which the license may be used((~~τ~~));
5 and

6 (c) The general routes over which the person may travel. ((These
7 restrictions shall be prepared in written form by the department, which
8 document shall))

9 (3) The department shall prepare these restrictions in written form
10 to be carried in the vehicle at all times ((and)). The written
11 restrictions must be presented to a law enforcement officer under the
12 same terms as the occupational driver's license. Any violation of the
13 restrictions ((constitutes)) is a violation of RCW 46.20.342 ((and
14 subjects the person to all procedures and penalties therefor)).

15 **Sec. 27.** RCW 46.20.400 and 1967 c 32 s 33 are each amended to read
16 as follows:

17 If the holder of an occupational driver's license ((is issued and
18 is not revoked during the period for which issued the licensee may
19 obtain a new driver's license at the end of such period, but no new
20 driver's permit shall be issued to such person until he surrenders his
21 occupational driver's license and his copy of the order and the
22 director)) qualifies for a new driver's license under this chapter, he
23 or she must surrender the occupational driver's license as a condition
24 of obtaining the new driver's license. The department will not issue
25 a new driver's license until it is satisfied that ((he)) the licensee
26 complies with all other provisions of law relative to the issuance of
27 a driver's license.

28 **Sec. 28.** RCW 46.20.500 and 1999 c 274 s 8 are each amended to read
29 as follows:

30 (1) **Operating a motorcycle.** No person may drive a motorcycle or a
31 motor-driven cycle ((unless such person has)) without first obtaining
32 a valid driver's license specially endorsed by the director to enable
33 the holder to drive such vehicles. ((However,))

34 (2) **Operating a moped.** A person sixteen years of age or older,
35 holding a valid driver's license of any class issued by the state of
36 the person's residence, may operate a moped without taking any special
37 examination for the operation of a moped. ((No driver's license is

1 required for operation of an electric-assisted bicycle if the
2 operator))

3 (3) Operating an electric-assisted bicycle. A person who is at
4 least sixteen years of age may operate an electric-assisted bicycle
5 without a driver's license. Persons under sixteen years of age may not
6 operate an electric-assisted bicycle.

7 **Sec. 29.** RCW 46.20.505 and 1999 c 308 s 5 and 1999 c 274 s 9 are
8 each reenacted and amended to read as follows:

9 ~~((Every person applying))~~ An applicant for a special endorsement of
10 a driver's license authorizing ~~((such))~~ the person to drive a
11 motorcycle or a motor-driven cycle shall pay ~~((an))~~ a nonrefundable
12 examination fee of two dollars ~~((which is not refundable))~~. ~~((In~~
13 ~~addition))~~ Additionally, the endorsement fee for the initial motorcycle
14 endorsement ~~((shall))~~ may not exceed ten dollars, and the subsequent
15 renewal endorsement fee ~~((shall))~~ may not exceed twenty-five dollars,
16 unless the endorsement is renewed or extended for a period other than
17 five years, in which case the subsequent renewal endorsement fee
18 ~~((shall))~~ may not exceed five dollars for each year that the
19 endorsement is renewed or extended. The initial and renewal
20 endorsement fees shall be deposited in the motorcycle safety education
21 account of the highway safety fund.

22 **Sec. 30.** RCW 46.20.520 and 1998 c 245 s 89 are each amended to
23 read as follows:

24 (1) The director of licensing shall use moneys designated for the
25 motorcycle safety education account of the highway safety fund to
26 implement ~~((by July 1, 1983,))~~ a voluntary motorcycle operator training
27 and education program. The director may contract with public and
28 private entities to implement this program.

29 (2) ~~((There is created))~~ A motorcycle safety education advisory
30 board is created to assist the director of licensing in the development
31 of a motorcycle operator training and education program. The board
32 shall monitor this program ~~((following))~~ after implementation and
33 report to the director of licensing as necessary with recommendations
34 including, but not limited to, administration, application, and
35 substance of the motorcycle operator training and education program.

36 (a) The board ~~((shall))~~ consists of five members appointed by the
37 director of licensing. Three members of the board, one of whom

1 ((shall)) must be appointed chairperson, ((shall)) must be active
2 motorcycle riders or members of nonprofit motorcycle organizations
3 ((which)) that actively support and promote motorcycle safety
4 education. One member ((shall)) must be a currently employed
5 Washington state patrol motorcycle officer with at least five years
6 experience and at least one year cumulative experience as a motorcycle
7 officer. One member ((shall)) must be a member of the public. The
8 term of appointment ((shall-be)) is two years.

9 (b) The board shall meet at the call of the director, but not
10 ((less)) fewer than two times annually and not ((less)) fewer than five
11 times during its term of appointment(~~, and shall~~). Board members
12 receive no compensation for services but ((shall)) will be reimbursed
13 for travel expenses while engaged in business of the board in
14 accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or~~
15 ~~hereafter amended~~)).

16 (3) The priorities of the program ((shall-be)) are in the following
17 order of priority:

18 (a) Public awareness of motorcycle safety.

19 (b) Motorcycle safety education programs conducted by public and
20 private entities.

21 (c) Classroom and on-cycle training.

22 (d) Improved motorcycle operator testing.

23 NEW SECTION. Sec. 31. This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of the
25 state government and its existing public institutions, and takes effect
26 immediately.

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