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SENATE BILL 5690

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State of Washington

57th Legislature

2001 Regular Session

By Senators Rasmussen, Hochstatter, Kastama, Eide and B. Sheldon

Read first time 01/30/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to revocation of driving privileges; amending RCW  
2 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070; and  
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.20.265 and 1998 c 41 s 2 are each amended to read  
6 as follows:

7 (1) In addition to any other authority to revoke driving privileges  
8 under this chapter, the department shall revoke all driving privileges  
9 of a ((juvenile)) person when the department receives notice from a  
10 court pursuant to RCW 9.41.040(5), 13.40.265, 66.44.365, 69.41.065,  
11 69.50.420, 69.52.070, or a substantially similar municipal ordinance  
12 adopted by a local legislative authority, or from a diversion unit  
13 pursuant to RCW 13.40.265. The revocation shall be imposed without  
14 hearing.

15 (2) The driving privileges of the ((juvenile)) person under the age  
16 of twenty-one revoked under subsection (1) of this section shall be  
17 revoked in the following manner:

1 (a) Upon receipt of the first notice, the department shall impose  
2 a revocation for one year, or until the ((juvenile)) person reaches  
3 seventeen years of age, whichever is longer.

4 (b) Upon receipt of a second or subsequent notice, the department  
5 shall impose a revocation for two years or until the ((juvenile))  
6 person reaches eighteen years of age, whichever is longer.

7 (c) Each offense for which the department receives notice shall  
8 result in a separate period of revocation. All periods of revocation  
9 imposed under this section that could otherwise overlap shall run  
10 consecutively and no period of revocation imposed under this section  
11 shall begin before the expiration of all other periods of revocation  
12 imposed under this section or other law.

13 (3) If the department receives notice from a court that the  
14 ((juvenile's)) person's privilege to drive should be reinstated, the  
15 department shall immediately reinstate any driving privileges that have  
16 been revoked under this section if the minimum term of revocation as  
17 specified in RCW 13.40.265(1)(c), 66.44.365(3), 69.41.065(3),  
18 69.50.420(3), 69.52.070(3), or similar ordinance has expired, and  
19 subject to subsection (2)(c) of this section.

20 (4)(a) If the department receives notice pursuant to RCW  
21 13.40.265(2)(b) from a diversion unit that a ((juvenile)) person under  
22 the age of twenty-one has completed a diversion agreement for which the  
23 ((juvenile's)) person's driving privileges were revoked, the department  
24 shall reinstate any driving privileges revoked under this section as  
25 provided in (b) of this subsection, subject to subsection (2)(c) of  
26 this section.

27 (b) If the diversion agreement was for the ((juvenile's)) person's  
28 first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the  
29 department shall not reinstate the ((juvenile's)) person's privilege to  
30 drive until the later of ninety days after the date the ((juvenile))  
31 person turns sixteen or ninety days after the ((juvenile)) person  
32 entered into a diversion agreement for the offense. If the diversion  
33 agreement was for the ((juvenile's)) person's second or subsequent  
34 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the department  
35 shall not reinstate the ((juvenile's)) person's privilege to drive  
36 until the later of the date the ((juvenile)) person turns seventeen or  
37 one year after the ((juvenile)) person entered into the second or  
38 subsequent diversion agreement.

1       **Sec. 2.** RCW 66.44.365 and 1989 c 271 s 118 are each amended to  
2 read as follows:

3       (1) If a ((juvenile)) person thirteen years of age or older and  
4 under the age of ((eighteen)) twenty-one is found by a court to have  
5 committed any offense that is a violation of this chapter, the court  
6 shall notify the department of licensing within twenty-four hours after  
7 entry of the judgment.

8       (2) Except as otherwise provided in subsection (3) of this section,  
9 upon petition of a ((juvenile)) person under the age of twenty-one  
10 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
11 the court may notify the department of licensing that the  
12 ((juvenile's)) person's privilege to drive should be reinstated.

13       (3) If the conviction is for the ((juvenile's)) first violation by  
14 a person under the age of twenty-one of this chapter or chapter 69.41,  
15 69.50, or 69.52 RCW, ((a juvenile)) the person may not petition the  
16 court for reinstatement of the ((juvenile's)) person's privilege to  
17 drive revoked pursuant to RCW 46.20.265 until the later of ninety days  
18 after the date the ((juvenile)) person turns sixteen or ninety days  
19 after the judgment was entered. If the conviction was for the  
20 ((juvenile's)) second or subsequent violation by a person under the age  
21 of twenty-one of this chapter or chapter 69.41, 69.50, or 69.52 RCW,  
22 the ((juvenile)) person may not petition the court for reinstatement of  
23 the ((juvenile's)) person's privilege to drive revoked pursuant to RCW  
24 46.20.265 until the later of the date the ((juvenile)) person turns  
25 seventeen or one year after the date judgment was entered.

26       **Sec. 3.** RCW 69.41.065 and 1989 c 271 s 119 are each amended to  
27 read as follows:

28       (1) If a ((juvenile)) person thirteen years of age or older and  
29 under the age of twenty-one is found by a court to have committed any  
30 offense that is a violation of this chapter, the court shall notify the  
31 department of licensing within twenty-four hours after entry of the  
32 judgment.

33       (2) Except as otherwise provided in subsection (3) of this section,  
34 upon petition of a ((juvenile)) person under the age of twenty-one  
35 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
36 the court may notify the department of licensing that the  
37 ((juvenile's)) person's privilege to drive should be reinstated.

1 (3) If the conviction is for the ((juvenile's)) first violation by  
2 a person under the age of twenty-one of this chapter or chapter 66.44,  
3 69.50, or 69.52 RCW, the ((juvenile)) person may not petition the court  
4 for reinstatement of the ((juvenile's)) person's privilege to drive  
5 revoked pursuant to RCW 46.20.265 until the later of ninety days after  
6 the date the ((juvenile)) person turns sixteen or ninety days after the  
7 judgment was entered. If the conviction was for the ((juvenile's))  
8 second or subsequent violation by a person under the age of twenty-one  
9 of this chapter or chapter 66.44, 69.50, or 69.52 RCW, the ((juvenile))  
10 person may not petition the court for reinstatement of the  
11 ((juvenile's)) person's privilege to drive revoked pursuant to RCW  
12 46.20.265 until the later of the date the ((juvenile)) person turns  
13 seventeen or one year after the date judgment was entered.

14 **Sec. 4.** RCW 69.50.420 and 1989 c 271 s 120 are each amended to  
15 read as follows:

16 (1) If a ((juvenile)) person thirteen years of age or older and  
17 under the age of twenty-one is found by a court to have committed any  
18 offense that is a violation of this chapter, the court shall notify the  
19 department of licensing within twenty-four hours after entry of the  
20 judgment.

21 (2) Except as otherwise provided in subsection (3) of this section,  
22 upon petition of a ((juvenile)) person under the age of twenty-one  
23 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
24 the court may at any time the court deems appropriate notify the  
25 department of licensing to reinstate the ((juvenile's)) person's  
26 privilege to drive.

27 (3) If the conviction is for the ((juvenile's)) first violation by  
28 a person under the age of twenty-one of this chapter or chapter 66.44,  
29 69.41, or 69.52 RCW, the ((juvenile)) person may not petition the court  
30 for reinstatement of the ((juvenile's)) person's privilege to drive  
31 revoked pursuant to RCW 46.20.265 until the later of ninety days after  
32 the date the ((juvenile)) person turns sixteen or ninety days after the  
33 judgment was entered. If the conviction was for the ((juvenile's))  
34 second or subsequent violation by a person under the age of twenty-one  
35 of this chapter or chapter 66.44, 69.41, or 69.52 RCW, the ((juvenile))  
36 person may not petition the court for reinstatement of the  
37 ((juvenile's)) person's privilege to drive revoked pursuant to RCW

1 46.20.265 until the later of the date the ((juvenile)) person turns  
2 seventeen or one year after the date judgment was entered.

3 **Sec. 5.** RCW 69.52.070 and 1989 c 271 s 121 are each amended to  
4 read as follows:

5 (1) If a ((juvenile)) person thirteen years of age or older and  
6 under the age of twenty-one is found by a court to have committed any  
7 offense that is a violation of this chapter, the court shall notify the  
8 department of licensing within twenty-four hours after entry of the  
9 judgment.

10 (2) Except as otherwise provided in subsection (3) of this section,  
11 upon petition of a ((juvenile)) person under the age of twenty-one  
12 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
13 the court may at any time the court deems appropriate notify the  
14 department of licensing to reinstate the ((juvenile's)) person's  
15 privilege to drive.

16 (3) If the conviction is for the ((juvenile's)) first violation by  
17 a person under the age of twenty-one of this chapter or chapter 66.44,  
18 69.41, or 69.50 RCW, the ((juvenile)) person may not petition the court  
19 for reinstatement of the ((juvenile's)) person's privilege to drive  
20 revoked pursuant to RCW 46.20.265 until the later of ninety days after  
21 the date the ((juvenile)) person turns sixteen or ninety days after the  
22 judgment was entered. If the conviction was for the ((juvenile's))  
23 second or subsequent violation by a person under the age of twenty-one  
24 of this chapter or chapter 66.44, 69.41, or 69.50 RCW, the ((juvenile))  
25 person may not petition the court for reinstatement of the  
26 ((juvenile's)) person's privilege to drive revoked pursuant to RCW  
27 46.20.265 until the later of the date the ((juvenile)) person turns  
28 seventeen or one year after the date judgment was entered.

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