CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1597

Chapter 195, Laws of 2003

58th Legislature
2003 Regular Session

COMMERCIAL VEHICLE DRIVERS

EFFECTIVE DATE: 7/27/03

Passed by the House March 11, 2003
Yeas 92 Nays 1

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 11, 2003
Yeas 39 Nays 10

BRAD OWEN
President of the Senate

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 1597 as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED

May 9, 2003 - 4:11 p.m.

GARY LOCKE
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to physical examinations for commercial drivers' licenses; amending RCW 46.25.070; adding new sections to chapter 46.25 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. Sec. 1. The legislature finds that current economic conditions impose severe hardships on many commercial vehicle drivers. The legislature finds that commercial drivers who may not currently be working may not be able to afford the expense of a required physical in order to maintain their commercial driver's license. The legislature finds that Washington's commercial driver's license statutes should be harmonized with federal requirements, which require proof of a physical capacity to drive a commercial vehicle, along with a valid commercial driver's license, but do not link the two requirements. The legislature finds that allowing commercial drivers to delay getting a physical until they are actually driving a commercial vehicle will prevent the imposition of unnecessary expense and hardship on Washington's commercial vehicle drivers.
Sec. 2. RCW 46.25.070 and 1991 c 73 s 2 are each amended to read as follows:

(1) The application for a commercial driver's license or commercial driver's instruction permit must include the following:
   (a) The full name and current mailing and residential address of the person;
   (b) A physical description of the person, including sex, height, weight, and eye color;
   (c) Date of birth;
   (d) The applicant's Social Security number;
   (e) The person's signature;
   (f) Certifications including those required by 49 C.F.R. part 383.71(a);
   (g) Any other information required by the department; and
   (h) A consent to release driving record information to parties identified in chapter 46.52 RCW and this chapter.

(2) When a licensee changes his or her name, mailing address, or residence address, the person shall notify the department as provided in RCW 46.20.205.

(3) No person who has been a resident of this state for thirty days may drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

NEW SECTION. Sec. 3. A new section is added to chapter 46.25 RCW to read as follows:

A person may not drive a commercial motor vehicle unless he or she is physically qualified to do so and, except as provided in 49 C.F.R. Sec. 391.67, has on his or her person the original, or a photographic copy, of a medical examiner's certificate that he or she is physically qualified to drive a commercial motor vehicle.

NEW SECTION. Sec. 4. A new section is added to chapter 46.25 RCW to read as follows:

(1) It is a traffic infraction for a licensee under this chapter to drive a commercial vehicle without having on his or her person the
original, or a photographic copy, of a medical examiner's certificate that he or she is physically qualified to drive a commercial motor vehicle.

(2) A person who violates this section is subject to a penalty of two hundred fifty dollars. If the person appears in person before the court or submits by mail written proof that he or she had, at the time the infraction took place, the medical examiner's certificate, the court shall reduce the penalty to fifty dollars.

Passed by the House March 11, 2003.
Passed by the Senate April 11, 2003.
Approved by the Governor May 9, 2003.
Filed in Office of Secretary of State May 9, 2003.