

FINAL BILL REPORT

SSB 5266

C 293 L 91

SYNOPSIS AS ENACTED

Brief Description: Restructuring penalties for driving while suspended.

SPONSORS: Senate Committee on Law & Justice (originally sponsored by Senators Thorsness, McMullen, Owen and A. Smith).

SENATE COMMITTEE ON LAW & JUSTICE

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

State law contains a variety of crimes related to driving without a license. These crimes vary both as to the way in which they may be committed and as to the way they may be punished. Generally, punishments are more severe for repeat offenders, and for offenders who are driving while they have already had their licenses suspended or revoked for previous offenses.

A task force of judges, prosecutors, defense attorneys, the State Patrol and the Department of Licensing has recommended some restructuring of the statutes relating to driving without a license.

SUMMARY:

The crime of driving with a suspended or revoked license is restructured into three degrees.

The first-degree crime is a gross misdemeanor with mandatory minimum penalties that escalate with repeat offenses and that may not be suspended or deferred. The crime involves driving without a license when the driver has already been found to be an habitual offender.

The second-degree crime is also a gross misdemeanor, but without the mandatory minimum penalties of the first-degree crime. This degree of the crime involves driving while a license has been suspended or revoked for various offenses, other than being found to be an habitual offender. This degree does not cover instances in which a driver is apprehended after the period of suspension or revocation has passed but before the driver's license has been reinstated.

The third-degree crime is a misdemeanor without mandatory minimum penalties. This degree of the crime involves driving without a license following a period of suspension or

revocation but before the driver has had his or her license reinstated. The department may not extend the license suspension period for this offense.

VOTES ON FINAL PASSAGE:

Senate	43	2	
House	96	0	(House amended)
Senate			(Senate refused to concur)
House	96	0	(House receded)

EFFECTIVE: July 28, 1991
April 1, 1992 (Section 9)