

1 **SHB 2033** - H AMD

2 By Representative Kagi

3 Strike everything after the enacting clause and insert the
4 following:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20
6 RCW to read as follows:

7 (1)(a) Any person who had his or her driving privileges revoked
8 for an alcohol related conviction under RCW 13.40.265 or RCW 66.44.365
9 may apply for an occupational driver's license if he or she meets the
10 following requirements:

11 (i) (A) Has obtained a valid driver's instruction permit and has
12 successfully passed a driver licensing examination that would otherwise
13 qualify the applicant for a driver's license had he or she not been
14 subject to the revocation; or (B) Had a valid driver's license at the
15 time of the initial revocation;

16 (ii) Is sixteen years of age or older;

17 (iii) Has completed a traffic safety education program approved
18 and accredited by the office of the superintendent of public
19 instruction or a course of instruction offered by a licensed driver
20 training school as defined by RCW 46.82.280(1);

21 (iv) Pays the occupational driver's license application fee
22 pursuant to RCW 46.20.380 and any other required fees under this
23 chapter;

24 (v) Within one year immediately preceding the date of the offense
25 that gave rise to the present conviction, the applicant has not
26 committed any offense relating to motor vehicles for which suspension
27 or revocation of a driver's license is mandatory;

28 (vi) Within seven years immediately preceding the date of the
29 offense that gave rise to the present conviction or incident, the
30 applicant has not committed any of the following offenses: (A) Driving
31 or being in actual physical control of a motor vehicle while under the
32 influence of intoxicating liquor; (B) vehicular homicide under RCW
33 46.61.520; or (C) vehicular assault under RCW 46.61.522;

34 (vii) Is engaged in an occupation, trade, apprenticeship, or on-
35 the-job training that makes it essential that he or she operate a motor
36 vehicle; and

1 (viii) Files satisfactory proof of financial responsibility under
2 chapter 46.29 RCW.

3 (b) The department, upon receipt of the prescribed fee and
4 application and upon determining that the applicant is engaged in an
5 occupation, trade, apprenticeship or on-the-job training that makes it
6 essential that the applicant operate a motor vehicle, may issue an
7 occupational driver's license and may set definite restrictions as
8 provided in RCW 46.20.394. No person may petition for, and the
9 department shall not issue, an occupational driver's license that is
10 effective during the first thirty days of any suspension or revocation.

11 (C) An occupational driver's license issued to an applicant under
12 this section shall be valid for the period of the suspension or
13 revocation but not more than two years. An applicant may apply for the
14 renewal of an occupational driver's license.

15 (2)(A) Any person who had his or her driving privileges revoked as
16 a juvenile for an alcohol related conviction under RCW 13.40.265 or RCW
17 66.44.365 and was not otherwise eligible to drive at the time of the
18 initial revocation may apply for a driver's instruction permit if the
19 applicant has passed all the parts of the examination other than the
20 driving test, provided the information required by RCW 46.20.091, paid
21 any required fees under RCW 46.20.055, and meets the following
22 requirements:

23 (i) Is at least sixteen years of age;

24 (ii) Has submitted a proper application; and

25 (iii) Is enrolled in a traffic safety education program approved
26 and accredited by the office of the superintendent of public
27 instruction or a course of instruction offered by a licensed driver
28 training school as defined by RCW 46.82.280(1).

29 (B) A person holding a driver's instruction permit may drive a
30 motor vehicle, other than a motorcycle, upon the public highway if:

31 (i) The person has immediate possession of the permit; and

32 (ii) An approved instructor, or licensed driver with at least five
33 years of driving experience, occupies a seat beside the driver.

34 (C) A driver's instruction permit issued under this section is
35 valid for one year after the date of issue.

36 (3) The director shall cancel an occupational driver's license upon
37 receipt of notice that the holder thereof has been convicted of
38 operating a motor vehicle in violation of its restrictions, or of a
39 separate offense that under chapter 46.20 RCW would warrant suspension

1 or revocation of a regular driver's license. The cancellation is
2 effective as of the date of the conviction, and continues with the same
3 force and effect as any suspension or revocation under this title.

4 (4) For the purposes of this section, if transportation to and
5 from a place of employment is essential, an occupational driver's
6 license may be granted.-

7 Correct the title.

EFFECT: Allows a person over the age of 16 whose driving
privileges were revoked due to a conviction of an alcohol related
offense to obtain an occupational driver's license if necessary
for work. Also allows a driver's instruction permit to be issued.