
Transportation Committee

HB 1480

Brief Description: Requiring additional criteria to be met for the department of licensing to suspend a driver's license.

Sponsors: Representatives Hayes, Riccelli, Irwin, Lovick, Holy and Santos.

Brief Summary of Bill

- Modifies law for non-criminal offenses to require that a person's driver's license is suspended when he or she fails to respond to a notice of traffic infraction or fails to comply with the terms of a notice of a traffic infraction only when that driver already has two or more outstanding traffic infractions for moving violations.

Hearing Date: 2/8/17

Staff: Jennifer Harris (786-7143).

Background:

No person may drive a motor vehicle on a roadway in the state without having a valid driver's license. It is unlawful for a person to drive a motor vehicle while that person's driver's license is suspended.

The Department of Licensing (DOL) must suspend an individual's driver's license when it receives notice from a court that he or she: (1) has committed an offense for which mandatory revocation or suspension of a driver's license is required (including driving under the influence (DUI) and related offenses, vehicular homicide and assault offenses, racing or reckless driving, and negligent driving offenses); (2) has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any person or in serious property damage; (3) has been convicted of moving violation offenses or committed traffic infractions with such frequency as to indicate a disrespect for traffic laws or a disregard for the safety of other persons on the highways; (4) is incompetent to drive a motor vehicle; (5) has committed prohibited practices related to driver's license fraud and improper use; (6) has failed

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to respond to a notice of traffic infraction; (7) has failed to appear at a requested hearing; (8) has violated a written promise to appear in court; (9) has failed to comply with the terms of a notice of traffic infraction, criminal complaint, or citation; (10) has been certified by the Department of Social and Health Services as a person who is not in compliance with a child support order; (11) is subject to suspension as an incompetent, unqualified driver; or (12) is subject to suspension due to failure to pay a civil judgment related to a motor vehicle crime.

A driver's license suspension for failure to respond or failure to comply with the terms of a notice of traffic infraction remains in effect until the DOL receives a certificate from the court showing that the case has been adjudicated and the person pays a reissuance fee of \$75. A suspension does not take effect if, prior to the effective date of the suspension, the DOL receives a certificate from the court showing that the case has been adjudicated.

If a person drives a motor vehicle in the state while his or her driver's license is suspended due to failure to respond to a notice of traffic infraction or for failure to comply with the terms of a notice of a traffic infraction, that individual is guilty of "Driving While License Suspended or Revoked in the third degree," which is a misdemeanor. The current fine for this offense is \$500.

Summary of Bill:

For non-criminal offenses, a person's driver's license is suspended when he or she fails to respond to a notice of traffic infraction or for failure to comply with the terms of a notice of a traffic infraction only if that driver has received two or more outstanding traffic infractions for moving violations on at least two separate occasions at the time the determination of qualification to receive a suspension occurs.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2019.