

2 **SSB 6204** - S AMD - 113
3 By Senator Haugen

4 ADOPTED 2/10/96

5 On page 3, beginning on line 18, strike the remainder of the bill,
6 and insert the following:

7 **"Sec. 2.** RCW 46.20.021 and 1991 c 293 s 3 and 1991 c 73 s 1 are
8 each reenacted and amended to read as follows:

9 (1) No person, except as expressly exempted by this chapter, may
10 drive any motor vehicle upon a highway in this state unless the person
11 has a valid driver's license issued to Washington residents under the
12 provisions of this chapter. A violation of this subsection is a
13 misdemeanor and is a lesser included offense within the offenses
14 described in RCW 46.20.342(1) or 46.20.420. However, if a person in
15 violation of this section provides the citing officer with an expired
16 driver's license or other valid identifying documentation under RCW
17 46.20.035 at the time of the stop and is not in violation of RCW
18 46.20.342(1) or 46.20.420, the violation of this section is an
19 infraction and is subject to a penalty of two hundred fifty dollars.
20 If the person appears in person before the court or submits by mail
21 written proof that he or she obtained a valid license after being
22 cited, the court shall reduce the penalty to fifty dollars.

23 (2) For the purposes of obtaining a valid driver's license, a
24 resident is a person who manifests an intent to live or be located in
25 this state on more than a temporary or transient basis. Evidence of
26 residency includes but is not limited to:

27 (a) Becoming a registered voter in this state; or

28 (b) Receiving benefits under one of the Washington public
29 assistance programs; or

30 (c) Declaring that he or she is a resident for the purpose of
31 obtaining a state license or tuition fees at resident rates.

32 (3) The term "Washington public assistance programs" referred to in
33 subsection (2)(b) of this section includes only public assistance
34 programs for which more than fifty percent of the combined costs of
35 benefits and administration are paid from state funds. Programs which
36 are not included within the term "Washington public assistance

1 programs" pursuant to the above criteria include, but are not limited
2 to the food stamp program under the federal food stamp act of 1964;
3 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771
4 through 1788; and aid to families with dependent children, 42 U.S.C.
5 Secs. 601 through 606.

6 (4) No person shall receive a driver's license unless and until he
7 or she surrenders to the department all valid driver's licenses in his
8 or her possession issued to him or her by any other jurisdiction. The
9 department shall establish a procedure to invalidate the surrendered
10 photograph license and return it to the person. The invalidated
11 license, along with the valid temporary Washington driver's license
12 provided for in RCW 46.20.055(3), shall be accepted as proper
13 identification. The department shall notify the issuing department
14 that the licensee is now licensed in a new jurisdiction. No person
15 shall be permitted to have more than one valid driver's license at any
16 time.

17 (5) New Washington residents are allowed thirty days from the date
18 they become residents as defined in this section to procure a valid
19 Washington driver's license.

20 (6) Any person licensed as a driver under this chapter may exercise
21 the privilege thereby granted upon all streets and highways in this
22 state and shall not be required to obtain any other license to exercise
23 such privilege by any county, municipal or local board, or body having
24 authority to adopt local police regulations.

25 **Sec. 3.** RCW 46.63.020 and 1995 1st sp.s. c 16 s 1, 1995 c 332 s
26 16, and 1995 c 256 s 25 are each reenacted and amended to read as
27 follows:

28 Failure to perform any act required or the performance of any act
29 prohibited by this title or an equivalent administrative regulation or
30 local law, ordinance, regulation, or resolution relating to traffic
31 including parking, standing, stopping, and pedestrian offenses, is
32 designated as a traffic infraction and may not be classified as a
33 criminal offense, except for an offense contained in the following
34 provisions of this title or a violation of an equivalent administrative
35 regulation or local law, ordinance, regulation, or resolution:

36 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
37 vehicle while under the influence of intoxicating liquor or a
38 controlled substance;

1 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;
2 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
3 while under the influence of intoxicating liquor or narcotics or
4 habit-forming drugs or in a manner endangering the person of another;
5 (4) RCW 46.10.130 relating to the operation of snowmobiles;
6 (5) Chapter 46.12 RCW relating to certificates of ownership and
7 registration and markings indicating that a vehicle has been destroyed
8 or declared a total loss;
9 (6) RCW 46.16.010 relating to initial registration of motor
10 vehicles;
11 (7) RCW 46.16.011 relating to permitting unauthorized persons to
12 drive;
13 (8) RCW 46.16.160 relating to vehicle trip permits;
14 (9) RCW 46.16.381 (6) or (9) relating to unauthorized use or
15 acquisition of a special placard or license plate for disabled persons'
16 parking;
17 (10) RCW 46.20.021 relating to driving without a valid driver's
18 license, unless the person cited for the violation provided the citing
19 officer with an expired driver's license or other valid identifying
20 documentation under RCW 46.20.035 at the time of the stop and was not
21 in violation of RCW 46.20.342(1) or 46.20.420, in which case the
22 violation is an infraction;
23 (11) RCW 46.20.336 relating to the unlawful possession and use of
24 a driver's license;
25 (12) RCW 46.20.342 relating to driving with a suspended or revoked
26 license or status;
27 (13) RCW 46.20.410 relating to the violation of restrictions of an
28 occupational driver's license;
29 (14) RCW 46.20.420 relating to the operation of a motor vehicle
30 with a suspended or revoked license;
31 (15) RCW 46.20.750 relating to assisting another person to start a
32 vehicle equipped with an ignition interlock device;
33 (16) RCW 46.25.170 relating to commercial driver's licenses;
34 (17) Chapter 46.29 RCW relating to financial responsibility;
35 (18) RCW 46.30.040 relating to providing false evidence of
36 financial responsibility;
37 (19) RCW 46.37.435 relating to wrongful installation of
38 sunscreening material;

1 (20) RCW 46.44.180 relating to operation of mobile home pilot
2 vehicles;

3 (21) RCW 46.48.175 relating to the transportation of dangerous
4 articles;

5 (22) RCW 46.52.010 relating to duty on striking an unattended car
6 or other property;

7 (23) RCW 46.52.020 relating to duty in case of injury to or death
8 of a person or damage to an attended vehicle;

9 (24) RCW 46.52.090 relating to reports by repairmen, storagemen,
10 and appraisers;

11 (25) RCW 46.52.100 relating to driving under the influence of
12 liquor or drugs;

13 (26) RCW 46.52.130 relating to confidentiality of the driving
14 record to be furnished to an insurance company, an employer, and an
15 alcohol/drug assessment or treatment agency;

16 (27) RCW 46.55.020 relating to engaging in the activities of a
17 registered tow truck operator without a registration certificate;

18 (28) RCW 46.55.035 relating to prohibited practices by tow truck
19 operators;

20 (29) RCW 46.61.015 relating to obedience to police officers,
21 flagmen, or fire fighters;

22 (30) RCW 46.61.020 relating to refusal to give information to or
23 cooperate with an officer;

24 (31) RCW 46.61.022 relating to failure to stop and give
25 identification to an officer;

26 (32) RCW 46.61.024 relating to attempting to elude pursuing police
27 vehicles;

28 (33) RCW 46.61.500 relating to reckless driving;

29 (34) RCW 46.61.502 and 46.61.504 relating to persons under the
30 influence of intoxicating liquor or drugs;

31 (35) RCW (~~46.61.5055 (section 5, chapter 332 (Substitute Senate~~
32 ~~Bill No. 5141), Laws of 1995~~)) 46.61.503 relating to a person under
33 age twenty-one driving a motor vehicle after consuming alcohol;

34 (36) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

35 (37) RCW 46.61.522 relating to vehicular assault;

36 (38) RCW 46.61.525(1) relating to first degree negligent driving;

37 (39) RCW 46.61.527(4) relating to reckless endangerment of roadway
38 workers;

39 (40) RCW 46.61.530 relating to racing of vehicles on highways;

1 (41) RCW 46.61.685 relating to leaving children in an unattended
2 vehicle with the motor running;
3 (42) RCW 46.64.010 relating to unlawful cancellation of or attempt
4 to cancel a traffic citation;
5 (43) RCW 46.64.048 relating to attempting, aiding, abetting,
6 coercing, and committing crimes;
7 (44) Chapter 46.65 RCW relating to habitual traffic offenders;
8 (45) Chapter 46.70 RCW relating to unfair motor vehicle business
9 practices, except where that chapter provides for the assessment of
10 monetary penalties of a civil nature;
11 (46) Chapter 46.72 RCW relating to the transportation of passengers
12 in for hire vehicles;
13 (47) Chapter 46.80 RCW relating to motor vehicle wreckers;
14 (48) Chapter 46.82 RCW relating to driver's training schools;
15 (49) RCW 46.87.260 relating to alteration or forgery of a cab card,
16 letter of authority, or other temporary authority issued under chapter
17 46.87 RCW;
18 (50) RCW 46.87.290 relating to operation of an unregistered or
19 unlicensed vehicle under chapter 46.87 RCW."

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23 In line 1 of the title, after "Relating to" strike the remainder of
24 the title, and insert "penalties for driving without a driver's license
25 and negligent driving; amending RCW 46.61.525; reenacting and amending
26 RCW 46.20.021 and 46.63.020; and prescribing penalties."

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