

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1254

Chapter 204, Laws of 1998

55th Legislature
1998 Regular Session

PERMANENT RETENTION OF DRIVING RECORDS OF PERSONS CONVICTED OF
ALCOHOL OR DRUG-RELATED OFFENSES

EFFECTIVE DATE: 6/11/98

Passed by the House March 9, 1998
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate February 27, 1998
Yeas 46 Nays 0

BRAD OWEN
President of the Senate

Approved March 30, 1998

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1254** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 30, 1998 - 2:41 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1254

AS AMENDED BY THE SENATE

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Representatives Sterk, D. Sommers, Carrell, Mulliken, Delvin,
Chandler, O'Brien and Bush

Read first time 01/20/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to the destruction of driving records; and amending
2 RCW 46.52.100.

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

4 **Sec. 1.** RCW 46.52.100 and 1995 c 219 s 3 are each amended to read
5 as follows:

6 Every district court, municipal court, and clerk of superior court
7 shall keep or cause to be kept a record of every traffic complaint,
8 traffic citation, notice of infraction, or other legal form of traffic
9 charge deposited with or presented to the court or a traffic violations
10 bureau, and shall keep a record of every official action by the court
11 or its traffic violations bureau in reference thereto, including but
12 not limited to a record of every conviction, forfeiture of bail,
13 judgment of acquittal, finding that a traffic infraction has been
14 committed, dismissal of a notice of infraction, and the amount of fine,
15 forfeiture, or penalty resulting from every traffic complaint,
16 citation, or notice of infraction deposited with or presented to the
17 district court, municipal court, superior court, or traffic violations
18 bureau. In the case of a record of a conviction for a violation of RCW

1 46.61.502 or 46.61.504, and notwithstanding any other provision of law,
2 the record shall be maintained by the court permanently.

3 The Monday following the conviction, forfeiture of bail, or finding
4 that a traffic infraction was committed for violation of any provisions
5 of this chapter or other law regulating the operating of vehicles on
6 highways, every magistrate of the court or clerk of the court of record
7 in which such conviction was had, bail was forfeited, or the finding
8 made shall prepare and immediately forward to the director of licensing
9 at Olympia an abstract of the record of the court covering the case,
10 which abstract must be certified by the person so required to prepare
11 the same to be true and correct. Report need not be made of any
12 finding involving the illegal parking or standing of a vehicle.

13 The abstract must be made upon a form or forms furnished by the
14 director and shall include the name and address of the party charged,
15 the number, if any, of the party's driver's or chauffeur's license, the
16 registration number of the vehicle involved if required by the
17 director, the nature of the offense, the date of hearing, the plea, the
18 judgment, whether the offense was an alcohol-related offense as defined
19 in RCW 46.01.260(2), whether bail forfeited, whether the determination
20 that a traffic infraction was committed was contested, and the amount
21 of the fine, forfeiture, or penalty as the case may be.

22 Every court of record shall also forward a like report to the
23 director upon the conviction of any person of a felony in the
24 commission of which a vehicle was used.

25 The failure of any such judicial officer to comply with any of the
26 requirements of this section shall constitute misconduct in office and
27 shall be grounds for removal therefrom.

28 The director shall keep all abstracts received hereunder at the
29 director's office in Olympia and the same shall be open to public
30 inspection during reasonable business hours.

31 Venue in all district courts shall be before one of the two nearest
32 district judges in incorporated cities and towns nearest to the point
33 the violation allegedly occurred: PROVIDED, That in counties with
34 populations of one hundred twenty-five thousand or more such cases may
35 be tried in the county seat at the request of the defendant.

36 It shall be the duty of the officer, prosecuting attorney, or city
37 attorney signing the charge or information in any case involving a
38 charge of driving under the influence of intoxicating liquor or any

1 drug immediately to make request to the director for an abstract of
2 convictions and forfeitures which the director shall furnish.

Passed the House March 9, 1998.

Passed the Senate February 27, 1998.

Approved by the Governor March 30, 1998.

Filed in Office of Secretary of State March 30, 1998.