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SENATE BILL 5065

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State of Washington

56th Legislature

1999 Regular Session

By Senators Rasmussen, Goings, Deccio, Honeyford, Winsley, Rossi, Hochstatter, Oke and Costa

Read first time 01/11/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to revocation of driving privileges; amending RCW  
2 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070; and  
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.20.265 and 1998 c 41 s 2 are each amended to read  
6 as follows:

7 (1) In addition to any other authority to revoke driving privileges  
8 under this chapter, the department shall revoke all driving privileges  
9 of a juvenile when the department receives notice from a court pursuant  
10 to RCW 9.41.040(5), 13.40.265, 66.44.365, 69.41.065, 69.50.420,  
11 69.52.070 or of a person under the age of twenty-one when the  
12 department receives notice from a court pursuant to RCW 66.44.365, or  
13 a substantially similar municipal ordinance adopted by a local  
14 legislative authority, or from a diversion unit pursuant to RCW  
15 13.40.265. The revocation shall be imposed without hearing.

16 (2) The driving privileges of the ((juvenile)) person under the age  
17 of twenty-one revoked under subsection (1) of this section shall be  
18 revoked in the following manner:

1 (a) Upon receipt of the first notice, the department shall impose  
2 a revocation for one year, or until the ((juvenile)) person reaches  
3 seventeen years of age, whichever is longer.

4 (b) Upon receipt of a second or subsequent notice, the department  
5 shall impose a revocation for two years or until the ((juvenile))  
6 person reaches eighteen years of age, whichever is longer.

7 (c) Each offense for which the department receives notice shall  
8 result in a separate period of revocation. All periods of revocation  
9 imposed under this section that could otherwise overlap shall run  
10 consecutively and no period of revocation imposed under this section  
11 shall begin before the expiration of all other periods of revocation  
12 imposed under this section or other law.

13 (3) If the department receives notice from a court that the  
14 ((juvenile's)) person's privilege to drive should be reinstated, the  
15 department shall immediately reinstate any driving privileges that have  
16 been revoked under this section if the minimum term of revocation as  
17 specified in RCW 13.40.265(1)(c), 66.44.365(3), 69.41.065(3),  
18 69.50.420(3), 69.52.070(3), or similar ordinance has expired, and  
19 subject to subsection (2)(c) of this section.

20 (4)(a) If the department receives notice pursuant to RCW  
21 13.40.265(2)(b) from a diversion unit that a ((juvenile)) person under  
22 the age of twenty-one has completed a diversion agreement for which the  
23 ((juvenile's)) person's driving privileges were revoked, the department  
24 shall reinstate any driving privileges revoked under this section as  
25 provided in (b) of this subsection, subject to subsection (2)(c) of  
26 this section.

27 (b) If the diversion agreement was for the ((juvenile's)) person's  
28 first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the  
29 department shall not reinstate the ((juvenile's)) person's privilege to  
30 drive until the later of ninety days after the date the ((juvenile))  
31 person turns sixteen or ninety days after the ((juvenile)) person  
32 entered into a diversion agreement for the offense. If the diversion  
33 agreement was for the ((juvenile's)) person's second or subsequent  
34 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the department  
35 shall not reinstate the ((juvenile's)) person's privilege to drive  
36 until the later of the date the ((juvenile)) person turns seventeen or  
37 one year after the ((juvenile)) person entered into the second or  
38 subsequent diversion agreement.

1       **Sec. 2.** RCW 66.44.365 and 1989 c 271 s 118 are each amended to  
2 read as follows:

3       (1) If a ((juvenile)) person thirteen years of age or older and  
4 under the age of ((eighteen)) twenty-one is found by a court to have  
5 committed any offense that is a violation of this chapter, the court  
6 shall notify the department of licensing within twenty-four hours after  
7 entry of the judgment.

8       (2) Except as otherwise provided in subsection (3) of this section,  
9 upon petition of a ((juvenile)) person under the age of twenty-one  
10 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
11 the court may notify the department of licensing that the  
12 ((juvenile's)) person's privilege to drive should be reinstated.

13       (3) If the conviction is for the ((juvenile's)) first violation by  
14 a person under the age of twenty-one of this chapter ((or chapter  
15 69.41, 69.50, or 69.52 RCW)), ((a juvenile)) the person may not  
16 petition the court for reinstatement of the ((juvenile's)) person's  
17 privilege to drive revoked pursuant to RCW 46.20.265 until the later of  
18 ninety days after the date the ((juvenile)) person turns sixteen or  
19 ninety days after the judgment was entered. If the conviction was for  
20 the ((juvenile's)) second or subsequent violation by a person under the  
21 age of twenty-one of this chapter ((or chapter 69.41, 69.50, or 69.52  
22 RCW)), the ((juvenile)) person may not petition the court for  
23 reinstatement of the ((juvenile's)) person's privilege to drive revoked  
24 pursuant to RCW 46.20.265 until the later of the date the ((juvenile))  
25 person turns seventeen or one year after the date judgment was entered.

26       **Sec. 3.** RCW 69.41.065 and 1989 c 271 s 119 are each amended to  
27 read as follows:

28       (1) If a ((juvenile)) person thirteen years of age or older and  
29 under the age of twenty-one is found by a court to have committed any  
30 offense that is a violation of this chapter, the court shall notify the  
31 department of licensing within twenty-four hours after entry of the  
32 judgment.

33       (2) Except as otherwise provided in subsection (3) of this section,  
34 upon petition of a ((juvenile)) person under the age of twenty-one  
35 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
36 the court may notify the department of licensing that the  
37 ((juvenile's)) person's privilege to drive should be reinstated.

1 (3) If the conviction is for the ((juvenile's)) first violation by  
2 a person under the age of twenty-one of this chapter ((~~or chapter~~  
3 ~~66.44, 69.50, or 69.52~~ RCW)), the ((juvenile)) person may not petition  
4 the court for reinstatement of the ((juvenile's)) person's privilege to  
5 drive revoked pursuant to RCW 46.20.265 until the later of ninety days  
6 after the date the ((juvenile)) person turns sixteen or ninety days  
7 after the judgment was entered. If the conviction was for the  
8 ((juvenile's)) second or subsequent violation by a person under the age  
9 of twenty-one of this chapter ((~~or chapter 66.44, 69.50, or 69.52~~  
10 RCW)), the ((juvenile)) person may not petition the court for  
11 reinstatement of the ((juvenile's)) person's privilege to drive revoked  
12 pursuant to RCW 46.20.265 until the later of the date the ((juvenile))  
13 person turns seventeen or one year after the date judgment was entered.

14 **Sec. 4.** RCW 69.50.420 and 1989 c 271 s 120 are each amended to  
15 read as follows:

16 (1) If a ((juvenile)) person thirteen years of age or older and  
17 under the age of twenty-one is found by a court to have committed any  
18 offense that is a violation of this chapter, the court shall notify the  
19 department of licensing within twenty-four hours after entry of the  
20 judgment.

21 (2) Except as otherwise provided in subsection (3) of this section,  
22 upon petition of a ((juvenile)) person under the age of twenty-one  
23 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
24 the court may at any time the court deems appropriate notify the  
25 department of licensing to reinstate the ((juvenile's)) person's  
26 privilege to drive.

27 (3) If the conviction is for the ((juvenile's)) first violation by  
28 a person under the age of twenty-one of this chapter ((~~or chapter~~  
29 ~~66.44, 69.41, or 69.52~~ RCW)), the ((juvenile)) person may not petition  
30 the court for reinstatement of the ((juvenile's)) person's privilege to  
31 drive revoked pursuant to RCW 46.20.265 until the later of ninety days  
32 after the date the ((juvenile)) person turns sixteen or ninety days  
33 after the judgment was entered. If the conviction was for the  
34 ((juvenile's)) second or subsequent violation by a person under the age  
35 of twenty-one of this chapter ((~~or chapter 66.44, 69.41, or 69.52~~  
36 RCW)), the ((juvenile)) person may not petition the court for  
37 reinstatement of the ((juvenile's)) person's privilege to drive revoked

1 pursuant to RCW 46.20.265 until the later of the date the ((juvenile))  
2 person turns seventeen or one year after the date judgment was entered.

3 **Sec. 5.** RCW 69.52.070 and 1989 c 271 s 121 are each amended to  
4 read as follows:

5 (1) If a ((juvenile)) person thirteen years of age or older and  
6 under the age of twenty-one is found by a court to have committed any  
7 offense that is a violation of this chapter, the court shall notify the  
8 department of licensing within twenty-four hours after entry of the  
9 judgment.

10 (2) Except as otherwise provided in subsection (3) of this section,  
11 upon petition of a ((juvenile)) person under the age of twenty-one  
12 whose privilege to drive has been revoked pursuant to RCW 46.20.265,  
13 the court may at any time the court deems appropriate notify the  
14 department of licensing to reinstate the ((juvenile's)) person's  
15 privilege to drive.

16 (3) If the conviction is for the ((juvenile's)) first violation by  
17 a person under the age of twenty-one of this chapter (~~or chapter~~  
18 ~~66.44, 69.41, or 69.50 RCW~~), the ((juvenile)) person may not petition  
19 the court for reinstatement of the ((juvenile's)) person's privilege to  
20 drive revoked pursuant to RCW 46.20.265 until the later of ninety days  
21 after the date the ((juvenile)) person turns sixteen or ninety days  
22 after the judgment was entered. If the conviction was for the  
23 ((juvenile's)) second or subsequent violation by a person under the age  
24 of twenty-one of this chapter (~~or chapter 66.44, 69.41, or 69.50~~  
25 ~~RCW~~), the ((juvenile)) person may not petition the court for  
26 reinstatement of the ((juvenile's)) person's privilege to drive revoked  
27 pursuant to RCW 46.20.265 until the later of the date the ((juvenile))  
28 person turns seventeen or one year after the date judgment was entered.

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