

HOUSE BILL REPORT

SHB 1416

As Passed Legislature

Title: An act relating to restoration of juvenile driving privileges.

Brief Description: Adjusting the time of restoration of a juvenile's driving privilege.

Sponsors: By House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Mielke, O'Brien, Boldt, McMahan, Schindler and Woods).

Brief History:

Committee Activity:

Juvenile Justice & Family Law: 2/4/03, 2/20/03 [DPS].

Floor Activity:

Passed House: 3/5/03, 93-4.

Passed Senate: 4/8/03, 41-6.

Passed Legislature.

Brief Summary of Substitute Bill

- Provides that all periods of revocation of a juvenile's driving privileges, which run consecutively, shall not extend beyond the juvenile's 21st birthday.
- Allows a juvenile, upon turning 21, to seek reinstatement of his or her driving privileges without having to get a notice from the court.

HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Dickerson, Chair; Pettigrew, Vice Chair; Delvin, Ranking Minority Member; Carrell, Eickmeyer, Hinkle and Upthegrove.

Staff: Trudes Hutcheson (786-7384).

Background:

The Department of Licensing (DOL) is required, by statute, to revoke a juvenile's driving privileges when the DOL receives notice from a court that the juvenile has been convicted of:

- an offense committed while armed with a firearm;
- an offense regarding the purchase, possession or consumption of alcohol; or
- a violation of the various drug laws.

For the juvenile's first conviction, the DOL must revoke the juvenile's driving privilege for one year or until the juvenile reaches 17, whichever period is longer. For second or subsequent convictions, the DOL must revoke the juvenile's driving privilege for two years or until the juvenile reaches 18, whichever period is longer.

The revocation is imposed without a hearing. Each conviction results in a separate period of revocation. All periods of revocation imposed that could otherwise overlap must run consecutively, and no period of revocation shall begin before the expiration of all other periods of revocation. If the DOL receives notice from a court that the juvenile's driving privilege should be reinstated, the DOL may reinstate the privilege but only after all the juvenile's periods of revocation have expired.

Summary of Substitute Bill:

A juvenile's periods of revocation, which run consecutively, shall not extend beyond the juvenile's 21st birthday. The juvenile, at the age of 21, may seek reinstatement of his or her driving privilege from the DOL, and a notice from the court is not required.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The intent is to allow a juvenile at the age of 21 to be able to apply for a driver's license. A juvenile who has multiple offenses of minor in possession of alcohol, beginning at the age of 14, would not be able to get his license until he is in his mid-twenties. Revocations shouldn't drag on and on. Young people need to be given another chance.

Testimony Against: Increasing the length of a juvenile's revocation period will not act as a deterrent. Juveniles don't think in terms of long-term consequences. Revocation of driving privileges can hamper reintegration into the community.

Testified: (In support) Representative Mielke, prime sponsor.

(Opposed) Kate Monahan, Washington Defenders Association and Washington

Association of Criminal Defense Lawyers.