

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5732**

Chapter 490, Laws of 2009

61st Legislature  
2009 Regular Session

RELICENSING DIVERSION PROGRAMS--DRIVING ABSTRACTS

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 22, 2009  
YEAS 34 NAYS 15

BRAD OWEN

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**President of the Senate**

Passed by the House April 14, 2009  
YEAS 60 NAYS 36

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved May 14, 2009, 12:00 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5732** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

FILED

May 18, 2009

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5732**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** Senate Judiciary (originally sponsored by Senators Kline, McCaslin, Regala, and Hargrove)

READ FIRST TIME 02/25/09.

1            AN ACT Relating to traffic infractions for drivers whose licenses  
2 or privileges are suspended or revoked; and adding a new section to  
3 chapter 46.20 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 46.20 RCW  
6 to read as follows:

7            (1)(a) A person who violates RCW 46.20.342(1)(c)(iv) in a  
8 jurisdiction that does not have a relicensing diversion program shall  
9 be provided with an abstract of his or her driving record by the court  
10 or the prosecuting attorney, in addition to a list of his or her unpaid  
11 traffic offense related fines and the contact information for each  
12 jurisdiction or collection agency to which money is owed.

13            (b) A fee of up to twenty dollars may be imposed by the court in  
14 addition to any fee required by the department for provision of the  
15 driving abstract.

16            (2)(a) Superior courts or courts of limited jurisdiction in  
17 counties or cities are authorized to participate or provide relicensing  
18 diversion programs to persons who violate RCW 46.20.342(1)(c)(iv).

1 (b) Eligibility for the relicensing diversion program shall be  
2 limited to violators with no more than four convictions under RCW  
3 46.20.342(1)(c)(iv) in the ten years preceding the date of entering the  
4 relicensing diversion program, subject to a less restrictive rule  
5 imposed by the presiding judge of the county district court or  
6 municipal court. People subject to arrest under a warrant are not  
7 eligible for the diversion program.

8 (c) The diversion option may be offered at the discretion of the  
9 prosecuting attorney before charges are filed, or by the court after  
10 charges are filed.

11 (d) A person who is the holder of a commercial driver's license or  
12 who was operating a commercial motor vehicle at the time of the  
13 violation of RCW 46.20.342(1)(c)(iv) may not participate in the  
14 diversion program under this section.

15 (e) A relicensing diversion program that is structured to occur  
16 after charges are filed may charge participants a one-time fee of up to  
17 one hundred dollars, which is not subject to chapters 3.50, 3.62, and  
18 35.20 RCW, and shall be used to support administration of the program.  
19 The fee of up to one hundred dollars shall be included in the total to  
20 be paid by the participant in the relicensing diversion program.

21 (3) A relicensing diversion program shall be designed to assist  
22 suspended drivers to regain their license and insurance and pay  
23 outstanding fines.

24 (4)(a) Counties and cities that operate relicensing diversion  
25 programs shall, subject to available funds, provide information to the  
26 administrative office of the courts on an annual basis regarding the  
27 eligibility criteria used for the program, the number of referrals from  
28 law enforcement, the number of participants accepted into the program,  
29 the number of participants who regain their driver's license and  
30 insurance, the total amount of fines collected, the costs associated  
31 with the program, and other information as determined by the office.

32 (b) The administrative office of the courts is directed, subject to  
33 available funds, to compile and analyze the data required to be  
34 submitted in this section and develop recommendations for a best  
35 practices model for relicensing diversion programs.

Passed by the Senate April 22, 2009.

Passed by the House April 14, 2009.

Approved by the Governor May 14, 2009.

Filed in Office of Secretary of State May 18, 2009.