CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5501

Chapter 115, Laws of 2025

69th Legislature
2025 Regular Session

EMPLOYER DRIVING REQUIREMENTS

EFFECTIVE DATE: July 27, 2025

Passed by the Senate February 26, 2025
Yeas 33 Nays 15

DENNY HECK

President of the Senate

Passed by the House April 9, 2025
Yeas 61 Nays 36

LAURIE JINKINS

Speaker of the House of Representatives

Approved April 22, 2025 9:19 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5501** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

April 22, 2025

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5501

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Stanford, Saldaña, Hasegawa, and Nobles)

READ FIRST TIME 02/18/25.

AN ACT Relating to employer requirements for driving; amending RCW 49.58.090; adding a new section to chapter 49.58 RCW; and prescribing penalties.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 49.58 RCW to read as follows:

(1) Unless driving is one of the essential job functions or is related to a legitimate business purpose for a position, it is unlawful for an employer to:

(a) Require a valid driver's license as a condition of employment; or

(b) Include a statement in a posting for a job opening for the position that an applicant must have a valid driver's license.

(2)(a) The director must investigate complaints regarding compliance with this section and any related rules adopted under this chapter. The director may require the testimony of witnesses and production of documents as part of an investigation.

(b) If the director determines a violation occurred, the director may issue a citation and notice of assessment and order the employer to pay to the complainant actual damages; statutory damages equal to the actual damages or $5,000, whichever is greater; interest of one

percent per month on all compensation owed; payment to the department of the costs of investigation and enforcement; and any other appropriate relief.

(c) In addition to the citation and notice of assessment, the director may order payment to the department of a civil penalty.

(i) For a first violation, the civil penalty may not exceed $500.

(ii) For a repeat violation, the civil penalty may not exceed $1,000 or 10 percent of the damages, whichever is greater.

(d) If the investigation finds that the complainant's allegation cannot be substantiated, the department shall issue a closure letter to the complainant and the employer detailing such finding.

(3) An appeal from the director's determination may be taken in accordance with chapter 34.05 RCW. An employee who prevails is entitled to costs and reasonable attorneys' fees.

(4) The department must deposit civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

(5) Any wages and interest owed must be calculated from four years from the last violation before the complaint.

Sec. 2. RCW 49.58.090 and 2018 c 116 s 11 are each amended to read as follows:

The department may adopt rules to implement ((~~RCW 49.58.005 and 49.58.020 through 49.58.060~~)) this chapter.

Passed by the Senate February 26, 2025.
Passed by the House April 9, 2025.
Approved by the Governor April 22, 2025.
Filed in Office of Secretary of State April 22, 2025.

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