

FINAL BILL REPORT

SB 5347

Brief Description: Concerning access to abstract driving records.

Sponsors: Senators Wagoner, Pedersen, Dhingra, Kuderer and Wilson, C..

Senate Committee on Law & Justice
House Committee on Transportation

Background: Abstract Driving Record. An abstract of a person's driving record (ADR) is maintained by the Department of Licensing (DOL) and must include the following information:

- an enumeration of motor vehicle accidents in which the person was driving, including:
 1. the total numbers of vehicles involved;
 2. whether the vehicles were legally parked or moving;
 3. whether the vehicles were occupied at the time of the accident; and
 4. whether the accident resulted in a fatality;
- the status of a person's driving privilege in this state; and
- any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

Alcohol or Drug Assessment or Treatment Agencies. DOL may provide an individual's ADR for a period not more than the last five years to an alcohol or drug assessment or treatment agency approved by the Department of Health to which the individual has applied or been assigned for evaluation or treatment. The abstract must:

- include alcohol related offenses for a period not more than the last ten years; and
- indicate whether the alcohol related offense was originally charged as a violation of either:
 1. driving under the influence of liquor or any drug; or
 2. physical control of a vehicle under the influence of liquor or any drug.

Courts may provide a copy of the driver's abstract to the individual named in the abstract or their attorney, provided that the named individual has a pending or open infraction or criminal case in that court. An open infraction or criminal case includes cases on probation. Courts may charge a reasonable fee for the production and copying of the

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abstract for the individual.

Fees. Courts may charge a reasonable fee for the production and copying of the abstract for the individual. DOL must collect a \$15 fee for providing a copy of an individual's ADR.

Indigent Person. An indigent person is an impoverished person who, at any stage of a court proceeding, is:

- receiving one of the following types of public assistance:
 1. temporary assistance for needy families benefits;
 2. medical care services;
 3. pregnant women assistance benefits;
 4. poverty-related veterans' benefits;
 5. food stamps;
 6. refugee resettlement benefits;
 7. medicaid; or
 8. supplemental security income;
- involuntarily committed to a public mental health facility;
- receiving an annual income, after taxes, of 125 percent or less of the current federally established poverty level; or
- unable to pay the anticipated cost of counsel for the matter before the court because their available funds are insufficient to pay any amount for the retention of counsel.

Summary: Five Year and Ten Year Period Limitations. The limitation on DOL for providing an ADR covering a period of not more than five years is removed. The limitation on DOL for including records of alcohol-related offenses for a period covering not more than ten years is removed. DOL may provide a full copy of an individual's ADR including all alcohol-related offenses to an alcohol or drug assessment or treatment agency for an individual who has applied for assessment or treatment.

Probation Officers and Clerks of a Court. Probation officers and probation clerks employed by a court may provide a copy of the an individual's ADR to an alcohol or drug assessment or treatment agency for an individual who has applied for assessment or treatment.

Fees. A court may waive the fees charged for the production and copying of an ADR if the court finds that the individual is an indigent person.

Votes on Final Passage:

Senate	49	0
House	96	0

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