

# SENATE BILL REPORT

## SB 5638

---

As Reported By Senate Committee On:  
Law & Justice, January 15, 1998

**Title:** An act relating to traffic infractions that result in a fatality.

**Brief Description:** Requiring a driver improvement interview when a person is involved in a fatal accident and is issued a traffic infraction.

**Sponsors:** Senators Fraser, Fairley, McCaslin and Kohl.

**Brief History:**

**Committee Activity:** Law & Justice: 1/13/98, 1/15/98 [DP].

---

### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Fairley, Goings, Hargrove, Kline, McCaslin, Stevens and Zarelli.

**Staff:** Lidia Mori (786-7755)

**Background:** Every court is required to keep a record of traffic complaints, citations, and infractions and whether they result in a conviction, forfeiture of bail, or a finding that a traffic infraction has been committed. This abstract is forwarded to the Department of Licensing. The Director of the Department of Licensing has the authority to suspend or revoke a person's driver's license when the director concludes from facts contained in the case record that it is for the best interest of public safety. Whenever the department proposes to suspend or revoke a person's license, that person must be given an opportunity for a driver improvement interview. A driver improvement interview is an informal opportunity for a driver to disagree with any point in the case record and present arguments against suspension or revocation of his or her license. The driver improvement analyst then makes a finding and the person has a right to appeal.

**Summary of Bill:** Traffic abstracts that are forwarded to the Department of Licensing by the court must include information on whether the traffic incident resulted in a fatality.

A person who has forfeited bail on an infraction that resulted in a fatality is required to participate in a driver improvement interview. The Director of the Department of Licensing may suspend a person's driver's license if the person has forfeited bail on an infraction that resulted in a fatality and has failed to complete a driver improvement interview.

**Appropriation:** None.

**Fiscal Note:** Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Something should be done when someone kills a person as a result of a traffic infraction. This bill contains a prevention strategy.

**Testimony Against:** None.

**Testified:** Senator Karen Fraser (pro); Mike Middleton (pro); Clark Holloway, Dept. of Licensing (pro with concern).