

## Driver License Penalties Following Conviction

We suspend, revoke and/or disqualify driving privileges when we receive a notice of conviction from a court. This chart shows the action length, whether an administrative review is offered, whether an occupational/restricted license (ORL) can be issued and the requirements for reinstatement.

|                         | Offense  | Action Length                          | Admin. Rev. | ORL | Reinstatement Requirements   |
|-------------------------|--|--|-------------|-----|--|
| Pre 1994 law            | <b>DUI and Physical Control Convictions:</b><br>DUI or Physical Control - 1st conviction - violation prior to 7-1-94 | 90 days or age 19, whichever is longer | Yes         | Yes | Alcohol/drug assessment by an approved agency;<br>Satisfactory completion of alcohol/drug information school or the first 60 days of the prescribed treatment program;<br>Proof of financial responsibility (SR-22)<br>Insurance Certificate;<br>\$150 reissue fee;<br>Knowledge and driving examinations required when length of action is 365 days or longer   |
|                         | DUI or Physical Control - 2nd conviction - violation prior to 7-1-94   | 365 days                               |             |     |  |
|                         | DUI or Physical Control - 3rd/sub conviction - violation prior to 7-1-94   | 2 years                                |             |     |  |
| 7/94 - 8/95 law         | DUI or Physical Control - 1st conviction - <0.15 BAC - violation 7-1-94 thru 8-31-95                                 | 0 to 90 days                           |             |     | Notes:<br>RCW 46.20.720 (effective 6-10-04) indicates that if a person is convicted of any alcohol related offense, we must require that after a period of suspension, revocation or denial of driving privileges, the person may drive only a motor vehicle equipped with an ignition interlock device. The time period for which the device is required is calculated from the date the person is eligible to reinstate from the suspension, revocation, or denial imposed as a result of the conviction. Proof of installation will be required before reinstatement can be considered. If a person is found driving a vehicle in which the interlock device is no longer installed or functioning during the required period, a suspension will result.<br>Effective 7-27-03 courts must order a 60 day ignition interlock requirement for convictions for DUI or Physical Control, with a passenger under 16 years of age. This order may be in addition to any other mandatory requirement.<br>Effective 7-1-06, driving or being in physical control under the influence is a Class C felony if the person has four or more prior offenses within 10 years or if the person has ever been convicted of vehicular homicide or assault.<br>A probationary license is required under RCW 46.61.5055(7) for all DUI and Physical Control convictions. |
|                         | DUI or Physical Control - 1st conviction - >0.15 BAC or Refusal - violation 7-1-94 thru 8-31-95                      | 120 days                               |             |     |  |
|                         | DUI or Physical Control - with Probationary License - <0.15 BAC - violation 7-1-94 thru 8-31-95                      | 365 days                               |             |     |  |
|                         | DUI or Physical Control - with Prob Lic - >0.15 BAC or Refusal - violation 7-1-94 thru 8-31-95                       | 450 days                               |             |     |  |
|                         | DUI or Physical Control - prior conviction violation 7-1-94 thru 8-31-95   | 2 years                                |             |     |  |
|                         | DUI or Physical Control - while suspended/revoked - violation 7-1-94 thru 8-31-95                                    |  |             |     |  |
| 95 law effective 9/1/95 | DUI or Physical Control/Drugs - no prior offenses - <0.15 BAC - violation 9-1-95 thru 12-31-97                       | 90 days                                |             |     |  |
|                         | DUI or Physical Control/Drugs - no prior offenses - >0.15 BAC or Refusal - violation 9-1-95 thru 12-31-97            | 120 days                               |             |     |  |
|                         | DUI or Physical Control/Drugs - 2nd offense - <0.15 BAC - violation 9-1-95 thru 12-31-97                             | 365 days                               |             |     |  |
|                         | DUI or Physical Control/Drugs - 2nd offense - >0.15 BAC or Refusal - violation 9-1-95 thru 12-31-97                  | 450 days                               |             |     |  |
|                         | DUI or Physical Control/Drugs - 3rd/ subsequent offense - <0.15 BAC - violation 9-1-95 thru 12-31-97                 | 2 years                                |             |     |  |
|                         | DUI or Physical Control/Drugs - 3rd/ subsequent offense - >0.15 BAC or Refusal - violation 9-1-95 thru 12-31-97      | 3 years                                |             |     |  |
| 97 law effective 1/1/98 | DUI or Physical Control/Drugs - no prior offenses - <0.15 BAC - violation 1-1-98 and after                           | 90 days                                |             |     |  |
|                         | DUI or Physical Control/Drugs - no prior offenses - >0.15 BAC or Refusal - violation 1-1-98 and after                | 1 year                                 |             |     |  |
|                         | DUI or Physical Control/Drugs - 2nd offense - <0.15 BAC - violation 1-1-98 and after                                 | 2 years                                |             |     |  |
|                         | DUI or Physical Control/Drugs - 2nd offense - >0.15 BAC or Refusal - violation 1-1-98 and after                      | 900 days                               |             |     |  |
|                         | DUI or Physical Control/Drugs - 3rd/ subsequent offense - <0.15 BAC - violation 1-1-98 and after                     | 3 years                                |             |     |  |
|                         | DUI or Physical Control/Drugs - 3rd/ subsequent offense - >0.15 BAC or Refusal - violation 1-1-98 and after          | 4 years                                |             |     |  |
| Effective 6/10/04       | Refusal - no prior within 7 years  | 2 years                                |             |     |  |
|                         | Refusal - 2nd offense within 7 years   | 3 years                                |             |     |  |
|                         | Refusal - 3rd/subsequent within 7 years  | 4 years                                |             |     |  |

| Offense   | Action Length                                | Admin. Rev. | ORL | Reinstatement Requirements  |   |
|---|--|-------------|-----|---|---|
| <b>Other Convictions:</b><br>DWLS/R 1st Degree - violation 7-28-91 and after  | 1 year                                       | Yes         | No  | Knowledge and driving examinations;<br>\$75 reissue fee;<br>Note: The court can recommend non-extension of the suspension or revocation. If the driver obtains a valid driver license within 30 days of eligible date, the Department will honor the court's recommendation   |   |
| DWLS/R 2nd Degree - violation 7-28-91 and after   |  |             | Yes |   |   |
| Driving While Revoked or Revoked/HTO - violation prior to 7-28-91   |  |             | No  |   |   |
| Driving While Suspended - violation prior to 7-28-91  | Variable                                     |             | Yes | \$75 reissue fee  |   |
| Vehicular Assault - violation 7-24-83 through 6-5-96  | 1 year                                       |             | No  | No  | Alcohol/drug assessment by an approved agency - if alcohol related;<br>Satisfactory completion of alcohol/drug information school or the first 60 days of the prescribed treatment program - if alcohol related;<br>Proof of financial responsibility (SR-22) Insurance Certificate;<br>Knowledge and driving examinations;<br>\$75 reissue fee |
| Vehicular Assault - violation 6-6-96 and after  | 1 year after release from jail               |             |     |   |   |
| Vehicular Homicide - violation 7-24-83 through 6-5-96   | 2 years                                      |             |     |   |   |
| Vehicular Homicide - violation 6-6-96 and after   | 2 years after release from jail              |             |     |   |   |
| Manslaughter or Negligent Homicide - violation prior to 7-24-83   | 1 year                                       |             |     |   |   |
| Racing or Reckless Driving (1st or 2nd conviction within 2 years)   | 30 days                                      |             |     |   | Yes   |
| Racing or Reckless Driving (3rd conviction within 2 years)  | 365 days                                     |             |     |   | Proof of financial responsibility (SR-22) Insurance Certificate;<br>Knowledge and driving examinations;<br>\$75 reissue fee   |
| Eluding Police  | 365 days                                     |             |     |   | Proof of financial responsibility (SR-22) Insurance Certificate   |
| Hit and Run - Attended (Occupied)   | 365 days                                     |             |     |   | Knowledge and driving examinations<br>\$75 reissue fee  |
| Felony Involving a Motor Vehicle<br>See examples on following page of Class A, B and C felony convictions for which action is taken when a vehicle is involved.           | 1 year                                       |             |     |   |   |
| Unattended Child in Running Vehicle (2nd and subsequent offenses)   | 365 days                                     |             |     |   |   |
| Reckless Endangerment/Const. Zone   | 60 days                                      |             |     | Proof of financial responsibility (SR-22) Insurance Certificate;<br>\$75 reissue fee  |   |
| Other revocations resulting from court or diversion agency intervention (conviction not recorded on drive record):  |  |             |     |   |   |
| Minor in Possession Alcohol and/or Drugs - 1st conviction/diversion agreement signed - age 13 through 17 for alcohol, age 13-20 for drugs at time of incident             | 1 year or age 17, whichever is longer        |             | No  | Knowledge and driving examinations;<br>\$75 reissue fee.<br>The law allows for early release of Minor in Possession (MIP) of alcohol and/or drug revocations but does not allow for early release for MIP of firearms. Revocation for possession of firearms will be considered when determining prior incidents of MIP but not for calculating early release eligibility date.<br>Early release is at the discretion of the convicting court or diversion agency. We must receive a Request for Early Reinstatement form completed by the appropriate agency. On a 1st offense involving alcohol and/or drug, release can be 90 days after: 16th birthday, date of conviction, date the diversion agreement was signed, or date of revocation, whichever is later. On a 2nd or subsequent offense release can be at age 17, one year after date of conviction, date the diversion agreement was signed, or date of revocation, whichever is later.<br>All MIP revocation actions start on the date of conviction, the date the diversion agreement was signed, or the end of the longest running revocation(s) on record, whichever is later. Multiple charges on a single conviction or diversion agreement are treated separately and run consecutively.<br>Effective 7-27-03 consecutive revocations will not extend beyond the 21st birthday. Reinstatement of MIP of alcohol/drug/firearm revocations may be requested from us on/ after the 21st birthday. |   |
| Minor in Possession Alcohol and/or Drugs - 2nd /subsequent conviction/diversion agreement signed - age 13 through 17 for alcohol, age 13-20 for drugs at time of incident | 2 years or until age 18, whichever is longer |             |     |   |   |
| Minor in Possession Firearm - 1st conviction - age 13 through 17  | 1 year or age 17, whichever is longer        |             |     |   |   |
| Minor in Possession Firearm - 2nd/ subsequent conviction - age 13 through 17  | 2 years or until age 18, whichever is longer |             |     |   |   |

| Offense                            | Action Length                                    | Admin. Rev | ORL | Reinstatement Requirements |
|------------------------------------|--|------------|-----|----------------------------|
| Intermediate License - 1st offense | Warning letter                                   | None       | No  | \$75 reissue fee           |
| Intermediate License - 2nd offense | 6 months or until age 18, whichever is first     | Yes        |     |                            |
| Intermediate License - 3rd offense | Until age 18                                     |            |     |                            |
| Theft of Motor Vehicle Fuel        | Period specified by the court for up to 6 months |            | Yes | \$75 reissue fee           |

| Disqualifications   | Action Length                                       | Admin. Rev | ORL | Reinstatement Requirements   |
|---|---|------------|-----|--|
| <b>Commercial Driver License:</b><br>Driving under influence<br>Physical Control<br>Hit and run (occupied/unoccupied)<br>Felony involving vehicle<br>Vehicular assault<br>Vehicular homicide<br>Manslaughter<br>DWLS/R CDL disqualified | 1st Incident - 1 year (3 years if Haz Mat involved) | Yes        | No  | Commercial knowledge and driving examinations,<br>\$20 requalification fee |
|   | 2nd/subsequent incident(s) - Lifetime -             |            |     | Cannot requalify for CDL   |
| Felony involving drugs  | Lifetime  |            |     | Cannot requalify for CDL   |
| Railroad Crossing - 1st violation   | Not less than 60 days                               |            |     | \$20 requalification fee   |
| Railroad Crossing - 2nd violation   | Not less than 120 days                              |            |     |  |
| Railroad Crossing - 3rd violation   | Not less than 1 year                                |            |     | \$20 requalification fee;<br>Retest  |

| <b>Class A, B and C Felony Convictions:</b>  |           |  |
|--|-----------|--|
| Felony convictions for which driving privileges will be revoked if a motor vehicle is involved include but are not limited to the following: |           |  |
| Assaulting Police Officer w/vehicle  | 9A.36.031 | <p>Any Class A, B or C Felony Involving a Motor Vehicle conviction is reportable and requires revocation action under RCW 46.20.285. Class A, B or C Felony Involving a Motor Vehicle juvenile diversion agreements under Title 9A are not reportable and do not require revocation action.</p> <p>If notice of conviction from the court does not reflect one way or the other that a vehicle was involved, the assumption will be that there was one involved since notice is not otherwise required for these offenses.</p> |
| Reckless Endangerment, 1st Degree  | 9A.36.045 |  |
| Malicious Mischief, 1st Degree   | 9A.48.070 |  |
| Burglary, 1st Degree   | 9A.52.020 |  |
| Residential Burglary   | 9A.52.025 |  |
| Burglary, 2nd Degree   | 9A.52.030 |  |
| Vehicle Prowl, 1st Degree  | 9A.52.095 |  |
| Theft, 1st Degree  | 9A.56.030 |  |
| Theft, 2nd Degree  | 9A.56.040 |  |
| Taking Motor Vehicle without the owner's permission (driver only)  | 9A.56.070 |  |
| Poss. Stolen Property, 1st Degree  | 9A.56.150 |  |
| Poss. Stolen Property, 2nd Degree  | 9A.56.160 |  |
| Felony Involving a Vehicle   | 9A.56.200 |  |
|  | 46.20.285 |  |
| Trafficking Stolen Property  | 9A.82.050 |  |
| Assault, 1st Degree  | 9A.36.011 |  |
| Assault, 2nd Degree  | 9A.36.021 |  |
| Kidnapping, 1st Degree   | 9A.40.020 |  |
| Kidnapping, 2nd Degree   | 9A.40.030 |  |
| Escape, 1st Degree   | 9A.76.110 |  |
| Escape, 2nd Degree   | 9A.76.120 |  |
| Signal Preemption Device, Injury   | 46.37.673 |  |
| Signal Preemption device, Substantial Bodily Harm  | 46.37.674 |  |
| Signal Preemption Device, Fatality   | 46.37.675 |  |

The Department of Licensing has a policy of providing equal access to its services. If you need special accommodation, call (360) 902-3900 or TTY (360) 664-0116.