

WAC 308-104-025 Effect of accumulation of traffic offenses. (1)

For the purposes of RCW 46.20.291(3), whenever the official records of the department show that a person has committed ((at least)) four or more traffic offenses within a ((twelve-month)) one-year period, or ((at least)) five or more traffic offenses within a ((twenty-four-month)) two-year period, the department may ((require the person to appear for a driver improvement interview, as provided in chapter 46.20 RCW: Provided, That when a person has committed fewer traffic offenses than set forth in this section, the department may require the person to appear for a driver improvement interview or suspend or deny the person's driving privilege when such action appears to be in the interest of the safety of other persons on the highways. For purposes of this section, the driver improvement interview may be conducted in a group setting.

Failure to appear at the interview may result in a suspension or denial of the driving privilege.) provide notice to the driver warning them of the risk of crash involvement and the possible consequences of further action against the person's license under this section or chapter 46.65 RCW.

(2) Whenever the official records of the department show that a person has committed six or more traffic offenses within a one-year period, or seven or more traffic offenses within a two-year period, the department must issue a notice of suspension denying the person's driving privilege for sixty days and establishing a three hundred sixty-five day period of probation to begin when the period of suspension ends. During the period of probation, a person must not be convicted of an additional traffic offense.

(3) At a hearing requested by the driver to contest the notice of suspension, the accumulation of violations in subsection (2) of this section shall be considered prima facie evidence of violations of such frequency as to indicate a disrespect for traffic laws or a disregard for the safety of other persons on the highways.

(4) If a person is convicted of a traffic offense during the period of probation, the department must impose an additional thirty-day suspension to run consecutively with any suspension already being served under this section and the period of probation must be extended for three hundred sixty-five days from the date the additional suspension period ends. A person shall have the opportunity to contest the additional period of suspension under the procedure authorized by RCW 46.20.245.

(5) For purposes of this section "traffic offense" means a conviction as defined in RCW 46.20.270((4)) (3), or a finding that a traffic infraction has been committed as defined in RCW 46.20.270(5), of a moving violation as defined in WAC 308-104-160. A traffic offense committed under the provisions of chapter 46.37 RCW by a commercial driver with respect to equipment required on commercial motor vehicles shall not be considered for driver improvement purposes.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-104-035 Interest of safety.