

CHAPTER 23.

[S. B. 65.]

APPEALS BY MOTOR VEHICLE LICENSEES.

AN ACT relating to certain appeals by motor vehicle licensees; and amending sections 46.20.150 and 46.20.340, RCW.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 46.20.150, RCW, as derived from section 1, chapter 26, Laws of 1943, is amended to read as follows: Amendment.

Whenever the director has reasonable cause to believe, from an examination of individual driving or other records in his office or in the office of the state patrol, that the holder of a motor vehicle operator's license is or has become a faulty and unsafe driver of a motor vehicle or may become such because of physical, mental, or other defects, he may require the licensee to appear for reexamination as to his qualifications to operate a motor vehicle. Motor vehicle licenses; re-examination.

The director may require persons within certain age groups to be reexamined periodically if accident and violation reports in the department or in the state patrol indicate a disproportionate percentage of unsafe drivers in such age groups.

Except as above provided, the holders of valid motor vehicle operators' licenses shall not be required to be reexamined.

Should any licensee be dissatisfied with any decision of the director or other officer specified in this section he shall have the right to appeal therefrom to the superior court of Thurston county, or at his option to the superior court of the county of his residence. Appeal; right of.

SEC. 2. Section 46.20.340, RCW, as derived from section 74, chapter 188, Laws of 1937, is amended to read as follows: Amendment.

Same;
procedure.

The suspension, revocation, cancellation, or refusal by the director of any license or certificate provided for in this and chapters 46.12, 46.16 and 46.20, shall be conclusive unless the person whose license or certificate is suspended, revoked, canceled, or refused appeals to the superior court of Thurston county, or at his option to the superior court of the county of his residence, for the purpose of having the suspension, revocation, cancellation, or refusal of such license or certificate set aside. Notice of appeal must be filed within ten days after receipt of the notice of suspension, revocation, cancellation, or refusal. The appeal shall not supersede the suspension, revocation, cancellation or refusal of the license or certificate by the director. Upon the filing of the notice of appeal the court shall issue an order to the director to show cause why the license should not be granted or reinstated, which order shall be returnable not less than ten days after the date of service thereof upon the director. Service shall be in the manner prescribed for service of summons and complaint in other civil actions. Upon the hearing on the order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation, or refusal of the license or certificate and shall enter judgment either affirming or setting aside such suspension, revocation, cancellation, or refusal.

Passed the Senate January 30, 1953.

Passed the House February 18, 1953.

Approved by the Governor February 24, 1953.