

# HOUSE BILL ANALYSIS

## ESSB 6408

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**Title:** An act relating to penalties for alcohol violators.

**Brief Description:** Increasing penalties for alcohol violators who commit the offense with a person under the age of ten in the motor vehicle.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators McCaslin, Kline, Long, Fairley, Stevens, Hargrove, Zarelli, Johnson, Thibaudeau, Haugen, Schow, Roach and Oke).

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Staff:** Bill Perry (786-7123).

**Background:** Mandatory minimum penalties for the crime of driving while under the influence of alcohol (DUI) vary according to a number of factors. These factors include the number of prior convictions, the level of the driver's breath or blood alcohol concentration (BAC), and whether or not the driver submitted to a breathalyzer test. These penalties include jail time, fines, and loss of driving privileges.

The crime of DUI is a gross misdemeanor with a maximum penalty of one year in jail and a fine of \$5,000. The mandatory minimum jail sentences range from one day in jail for a first-time offender with a low BAC, to 120 days in jail for a third-time offender with a high BAC.

**Summary of Bill:** An additional factor is provided for enhancing mandatory minimum jail sentences for DUI. A driver who commits DUI while driving with a passenger who is under the age of 10, will receive twice the otherwise applicable mandatory minimum jail sentence.

**Fiscal Note:** Requested February 19, 1998.

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

Office of Program Research