

HOUSE BILL REPORT

HB 1757

As Amended by the Senate

Title: An act relating to driving under the influence of intoxicating liquor or any drug.

Brief Description: Changing "driving while intoxicated" to "driving while under the influence of intoxicating liquor or any drug."

Sponsor(s): Representatives Ferguson, Van Luven, Heavey, D. Sommers, Dorn, Miller, R. Meyers, Paris, Hargrove, Silver, Prentice, Moyer, Betrozoff, Winsley, Horn, Chandler, Tate, Vance, Nealey, Edmondson, Fuhrman, Broback, Wynne, Ballard, Hochstatter, Jacobsen, Wineberry, Roland, Bowman, Brough and Forner.

Brief History:

Reported by House Committee on:
Judiciary, March 1, 1991, DP;
Passed House, March 18, 1991, 98-0;
Amended by Senate.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass.* Signed by 15 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; R. Meyers; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Minority Report: *Without recommendation.* Signed by 1 member: Representative Mielke.

Staff: Annie Thompson (786-7179).

Background: Throughout the Revised Code of Washington, there are numerous references to one who is under the influence of liquor or drugs. However, the words used to describe that influenced state are not used consistently. The criminal code describes an intoxicated driver as "under the influence of intoxicating liquor or any drug."

Summary of Bill: In various statutes, this measure replaces the word "intoxicated" with the phrase "under the influence of intoxicating liquor or any drug."

Technical changes are also made for organizational purposes.

EFFECT OF SENATE AMENDMENT(S): The amendment adds provisions that reduce the "per se" standards for DWI. The breath or blood alcohol concentration (BAC) required for a DWI conviction is lowered, and two standards are created. The BAC standard for persons 21 years old or older is lowered from "0.10" to 0.08." The BAC standard for persons under 21 is lowered from "0.10" to "0.04."

Fiscal Note: Not requested.

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

Testimony For: The bill is necessary to clarify that "intoxicated" refers to a condition that can be caused by alcohol or any drug.

Testimony Against: None.

Witnesses: Pete Youngers, New Beginnings (in favor).

VOTE ON FINAL PASSAGE:

Yeas 98; Nays 0; Excused 0