

# HOUSE BILL REPORT

## HB 2309

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*As Reported By House Committee on:  
Judiciary*

**Title:** An act relating to license revocation warnings for failure to submit to breath or blood alcohol tests.

**Brief Description:** Warning drivers for failure to take blood alcohol tests.

**Sponsor(s):** Representative Inslee.

**Brief History:**

Reported by House Committee on:  
Judiciary, February 6, 1992, DPS.

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**HOUSE COMMITTEE ON  
JUDICIARY**

**Majority Report:** *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 15 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

**Minority Report:** *Do not pass.* Signed by 2 members: Representatives Padden, Ranking Minority Member; and Mielke.

**Staff:** Pat Shelledy (786-7149).

**Background:**

When a police officer stops a driver because the officer suspects the person is driving while under the influence of alcohol or drugs, the officer must warn the driver that (a) his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test, and (b) that his or her refusal to take the test may be used in a criminal trial.

The officer does not have to warn the person how long the license may be revoked following a refusal to take the test.

An adult person is not entitled to have a revoked license restored until after the expiration of one year in cases of revocation for the first refusal within five years to submit

to a test, or after the expiration of two years in cases of revocation for the second refusal within five years.

**Summary of Substitute Bill:** When a police officer warns a driver that his or her driver's license will be revoked if the person refuses to submit to a breath test, the officer must warn the driver that the person's driving privilege will be revoked or denied for one year for the first refusal in five years to submit to the test, and for two years for the second refusal in five years to take the test.

**Substitute Bill Compared to Original Bill:** The substitute bill is a technical rewrite of language.

**Fiscal Note:** Not requested.

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

**Testimony For:** None.

**Testimony Against:** None.

**Witnesses:** None.