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**SUBSTITUTE HOUSE BILL 1676**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Inslee, Winsley, R. Meyers, Dorn, Dellwo, Zellinsky, Jacobsen, Rasmussen and Sheldon).

Read first time February 20, 1991.

1            AN ACT Relating to punitive damages for wrongful death or personal  
2 injuries caused while driving under the influence of alcohol or drugs;  
3 and adding a new section to chapter 4.24 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 4.24 RCW  
6 to read as follows:

7            A person who drives a motor vehicle while under the influence of  
8 intoxicating liquor or any drug and as a result of that condition  
9 proximately causes personal injury or wrongful death of a victim or  
10 victims may be liable for punitive damages in addition to damages  
11 otherwise recoverable. The trier of fact may impose punitive damages  
12 up to the lesser of double the actual damages for which the defendant  
13 is responsible, or five thousand dollars, for each person entitled to  
14 recovery of damages. No such punitive damages shall be payable under

1 any liability insurance contract nor shall any liability for such  
2 punitive damages be imputed to any other person or entity.

3 No portion of punitive damages awarded to the victim shall be paid  
4 in attorney fees and any agreement to the contrary is void as against  
5 public policy and unenforceable.