

HOUSE BILL REPORT

SHB 1128

As Passed Legislature

Title: An act relating to fees to fund blood and breath alcohol content testing.

Brief Description: Funding blood and breath alcohol testing programs.

Sponsors: By House Committee on Revenue (originally sponsored by Representatives G. Fisher, Holm, Silver, Vance, Edmondson, Heavey, Foreman, Ballard, Brough, Long, Miller and Brumsickle; by request of Washington State Patrol.)

Brief History:

Reported by House Committee on:
Revenue, March 5, 1993, DPS;
Passed House, March 16, 1993, 97-0;
Amended by Senate;
Passed Legislature, April 19, 1993, 96-0.

HOUSE COMMITTEE ON REVENUE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives G. Fisher, Chair; Holm, Vice Chair; Foreman, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Anderson; Brown; Cothorn; Leonard; Morris; Romero; Rust; Silver; Talcott; Thibaudeau; and Van Luven.

Staff: Rick Peterson (786-7150).

Background: Persons convicted of driving a motor vehicle while intoxicated are subject to imprisonment of between 24 hours and one year and fines from \$250 to \$1,000. Repeat offenders are subject to larger fines and longer imprisonment. Fines may be suspended for indigent persons.

The state toxicology laboratory preforms blood tests if a traffic accident involves a fatality.

State Department of Health and local registrars charge fees for certified birth, death, and other records. From each of these fees, \$3 is deposited in the death investigations account. The State Toxicology Laboratory receives funding from the death investigations account.

Summary of Bill: Starting July 1, 1993, and ending June 30, 1995, an additional \$125 fine is assessed against each person convicted of driving while intoxicated. The fine may be reduced if the person does not have the ability to pay.

Of the revenue from the fee, 40 percent is divided between cities, counties, and the state in the same manner as fees, fines, and forfeitures collected by district courts. If the case involves a blood test by the State Toxicology Laboratory, the remaining 60 percent is earmarked for funding the laboratory's Blood Testing Program. Otherwise, the remaining 60 percent is earmarked for the Washington State Patrol Breath Testing Program.

Fiscal Note: Available. New fiscal note requested March 7, 1993.

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

Testimony For: This bill would help to pay for the Washington State Patrol's expensive breath testing equipment, as well as provide additional funding for the highway safety account and the State Toxicology Lab.

Testimony Against: None.

Witnesses: Tim Erickson, Washington State Patrol (in favor).