HOUSE BILL REPORT

HB 1123

As Reported By House Committee On:
Financial Institutions & Insurance

Title: An act relating to furnishing abstracts of driving records to judges.

Brief Description: Judges are permitted to obtain the driving records of defendants for sentencing purposes.

Sponsors: Representatives Schmidt, Zellinsky, Franklin, Heavey, Brough and Van Luven.

Brief History:
Reported by House Committee on:
Financial Institutions & Insurance, February 8, 1993, DP.

HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

Majority Report: Do pass. Signed by 15 members: Representatives Zellinsky, Chair; Mielke, Ranking Minority Member; Dyer, Assistant Ranking Minority Member; Anderson; Dellwo; Dorn; Grant; R. Johnson; Kessler; Kremen; Lemmon; R. Meyers; Reams; Schmidt; and Tate.

Staff: Charlie Gavigan (786-7340).

Background: State law restricts distribution of abstracts of a person's driving record. Individuals and employers may obtain the full five year driving record maintained by the Department of Licensing; but, insurance companies are limited to only the most recent three year record.

Local prosecutors obtain driving records for contested traffic infraction hearings. Some prosecutors' offices obtain this information electronically by computer link. State law requires the consideration of the full five year record of the driver for determination of the disposition of certain violations of the motor vehicle code. For example, the full five year record maintained by the Department of Licensing must be used for sentencing drivers convicted of driving while intoxicated.

Summary of Bill: For the purpose of sentencing drivers who have violated the motor vehicle code, a judge may obtain a certified abstract of the defendant's driving record for

only the most recent three year period immediately preceding the request for a record.

Fiscal Note: Requested February 8, 1993.

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

Testimony For: None.

Testimony Against: None.

Witnesses: None.