

# HOUSE BILL REPORT

## EHB 1254

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### As Amended by the Senate

**Title:** An act relating to the destruction of driving records.

**Brief Description:** Prohibiting destruction of driving records for alcohol or drug-related offenses.

**Sponsors:** Representatives Sterk, D. Sommers, Carrell, Mulliken, Delvin, Chandler, O'Brien and Bush.

**Brief History:**

**Committee Activity:**

Law & Justice: 1/29/97, 1/31/97 [DP].

**Floor Activity:**

Passed House: 02/28/97, 96-0;

Passed House: 1/12/98, 93-0.

Senate Amended.

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass. Signed by 12 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lantz; Radcliff; Sherstad and Skinner.

**Staff:** Bill Perry (786-7123).

**Background:** The Department of Licensing (DOL) is required or authorized to keep a wide variety of records relating to motor vehicles and drivers. The DOL is authorized to destroy some of these records after a specified period of time, or after they have been computerized or microfilmed.

Conviction records for vehicular homicide or vehicular assault are not to be destroyed and are to be maintained "permanently." Conviction records for alcohol related offenses such as drunk driving are not to be destroyed until at least 10 years after conviction.

Courts are required to keep conviction records on traffic law violations. The statute requiring that these records be kept does not specify the duration of the requirement.

**Summary of Bill:** Courts are required to keep records of drunk driving convictions for at least 10 years.

**EFFECT OF SENATE AMENDMENT(S):** The Senate amendment requires local courts to keep DUI records permanently instead of for 10 years.

**Appropriation:** None.

**Fiscal Note:** Requested on January 29, 1997.

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

**Testimony For:** These records provide valuable information to law enforcement, prosecutors, and judges in making charging, plea bargaining, and sentencing decisions.

**Testimony Against:** None.

**Testified:** Representative Sterk, prime sponsor.