

SENATE BILL REPORT

ESB 6142

As Passed Senate, February 12, 1998

Title: An act relating to administrative license suspension for first-time violators of laws against driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug.

Brief Description: Imposing administrative license suspensions on first-time DUI offenders.

Sponsors: Senators Kline, Roach, Patterson, Fairley, Swecker, T. Sheldon, Goings, Rasmussen, Oke and Benton.

Brief History:

Committee Activity: Law & Justice: 1/13/98, 1/15/98 [DP].
Passed Senate, 2/12/98, 40-8.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Kline, McCaslin and Stevens.

Staff: Lidia Mori (786-7755)

Background: Administrative license suspension or revocation is authorized under current statute for violation of the laws pertaining to driving under the influence of alcohol or drugs (DUI). The administrative sanction for a first DUI does not involve suspension or revocation of the driver's license. Instead, the sanction is placement of the offender's driver's license in probationary status for five years. For a second or subsequent DUI within five years, the administrative sanction is revocation of the driver's license for two years.

Summary of Bill: A person's driver's license is administratively suspended for 90 days for a first violation of the laws pertaining to driving under the influence of alcohol or drugs.

A person who had his or her license administratively suspended for a first violation of DUI may submit an application for an occupational driver's license to the Department of Licensing.

Appropriation: None.

Fiscal Note: Requested.

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

Testimony For: This bill, coupled with the bill that lowers the illegal per se intoxication level to .08, is the punch of the DUI package. If a first-time DUI offender's license is taken

away, there will be much less incentive to go to court. It sends an immediate message to a person that drinks and drives.

Testimony Against: None.

Testified: Russ Hauge, WAPA (pro); Don Lennon, MADD (pro); John Moffat, WA Traffic Safety Commission (pro); Mark Sidran, Seattle City Attorneys Office (pro); Dick Van Wagenen, Governor's Office (pro).

House Amendment(s): A null and void clause is added. The effective date is changed to January 1, 1999.