

SENATE BILL REPORT

ESSB 6408

As Passed Senate, February 16, 1998

Title: An act relating to penalties for alcohol violators.

Brief Description: Increasing penalties for alcohol violators who commit the offense with a person under the age of ten in the motor vehicle.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators McCaslin, Kline, Long, Fairley, Stevens, Hargrove, Zarelli, Johnson, Thibaudeau, Haugen, Schow, Roach and Oke).

Brief History:

Committee Activity: Law & Justice: 1/15/98, 2/5/98 [DPS].
Passed Senate, 2/16/98, 48-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6408 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Hargrove, Kline, Long, McCaslin, Thibaudeau and Zarelli.

Staff: Lidia Mori (786-7755)

Background: A conviction of driving under the influence of alcohol results in jail time, a fine, and suspension or revocation of the convicted person's driver's license. There are no additional penalties in statute to apply in situations where a person is convicted of drunken driving and had a minor present in the vehicle at the time of the arrest.

At least four states have enacted laws which impose either stiffer penalties for drunken driving with a minor in the vehicle or have created a separate offense such as endangering a child by driving under the influence of drugs or alcohol.–

Summary of Bill: A person who is convicted of driving under the influence of alcohol or drugs receives double the minimum nonsuspendable and nondeferrable jail sentence required by current law if the offense of driving under the influence of alcohol is committed with a person under the age of 10 in the vehicle.

Appropriation: None.

Fiscal Note: Requested.

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

Testimony For: A person who drives while drunk and has a minor in the vehicle at the time of the drunk driving should receive a stiffer penalty.

Testimony Against: None.

Testified: Senator McCaslin, prime sponsor.

House Amendment(s): A driver who is convicted of driving under the influence of alcohol or drugs receives double the mandatory minimum jail sentence required by current law if the DUI offense is committed with another person or persons in the car.

Provisions are added requiring the verification of an offender's criminal history and driving record prior to the court ordering a sentence for offenses listed in the bill.