

SENATE BILL REPORT

SB 6755

As Reported By Senate Committee On:
Law & Justice, February 6, 1998

Title: An act relating to drunk driving.

Brief Description: Establishing penalties for drunk driving.

Sponsors: Senators Benton and Roach.

Brief History:

Committee Activity: Law & Justice: 2/5/98, 2/6/98 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

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

Staff: Lidia Mori (786-7755)

Background: When sentencing a person convicted of driving under the influence of alcohol or drugs (DUI), the court considers whether the person has had any prior DUIs within the past five years. If a person convicted of DUI with an alcohol concentration of less than .15 has had no prior convictions for DUI within the past five years, the punishment includes one day of imprisonment and a fine of not less than \$350. The sentence of a person convicted of DUI with no prior DUIs within five years and an alcohol concentration level of .15 or more includes two days of imprisonment and not less than \$500. The sentence of a person convicted of DUI with a blood alcohol level of less than .15, but who has a prior DUI within the past five years, includes a fine of not less than \$500 and revocation of the driver's license for two years. If a person is convicted of DUI with an alcohol concentration of .15 or more and the person has a prior DUI within five years, he or she will receive a fine of not less than \$700 and revocation of the driver's license for 900 days.

Summary of Bill: When sentencing a person convicted of driving under the influence of alcohol or drugs (DUI), the court considers whether the person has had any prior DUIs within the past seven years. The sentences of people convicted of DUI includes varying lengths of electronic home monitoring, depending on whether the conviction is the person's first, second, or subsequent conviction of DUI. The length of time that electronic home monitoring is imposed is also dependent on the blood alcohol concentration involved in the DUI for which the person is being sentenced. The offender is required to pay for the electronic monitoring. The court may also require the electronic home monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time of electronic home monitoring. For purposes of this bill, electronic home monitoring is not considered confinement.

The driver's license of a person with two or more DUIs within the past seven years who is convicted of a subsequent DUI is permanently revoked. A method is created for restoration of the driving privileges after permanent revocation is imposed. The person must show good cause— which is defined as sufficient evidence of permanent rehabilitation. It is a gross misdemeanor to drive while one's license is permanently revoked. A second violation is a class C felony.

An appropriation of \$250,000 from the general fund is to be used by the Washington Traffic Safety Commission for electronic media advertising of the contents of the bill.

Appropriation: \$250,000.

Fiscal Note: Requested.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.