

FINAL BILL REPORT

HB 2205

C 114 L 99

Synopsis as Enacted

Brief Description: Providing conditions for waiver of the requirement for a mandatory appearance following arrest for DUI.

Sponsors: Representatives McDonald, Lovick, Carrell, Constantine and Haigh.

House Committee on Judiciary

Senate Committee on Judiciary

Background:

As part of extensive revisions to the state's drunk driving laws in 1998, the Legislature required that within one judicial day after an arrest for "driving under the influence" (DUI), the defendant must be brought before a judge. The purpose of the appearance is to consider the need for imposing conditions on pretrial release. The legislation responded to concerns that the failure to have a prompt appearance was resulting in problem drivers being released without restrictions on their driving pending trial.

Summary:

A local court may waive the requirement that a DUI defendant appear before a judge within one judicial day of arrest. The local waiver must provide for appearance of the defendant at the earliest practicable day as defined by local court rule.

Votes on Final Passage:

House 97 0

Senate 49 0

Effective: July 25, 1999