

SENATE BILL REPORT

SB 5443

As Passed Senate, March 13, 1999

Title: An act relating to waiver of administrative alcohol or drug-related hearing fees due to indigency.

Brief Description: Providing for waiver of administrative alcohol or drug-related hearing fees due to indigency.

Sponsors: Senators Kline, Rossi, Patterson, Johnson, Hargrove, Brown, Kohl-Welles, Fraser, Costa, Spanel, Winsley and Oke.

Brief History:

Committee Activity: Judiciary: 2/26/99, 3/1/99 [DP].
Passed Senate, 3/13/99, 46-2.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Thibaudeau, Zarelli.

Staff: Lidia Mori (786-7755)

Background: A person arrested for driving a motor vehicle while under the influence of alcohol or drugs (DUI) who submits to a breathalyzer test which reveals an alcohol concentration (BAC) of .08 or more if the person is over the age of 21, or a BAC of .02 or more if the person is under 21, or the person refuses to submit to the test will have his or her license suspended or revoked for a period of time. The arresting officer gives notice to the person of his or her right to request in writing a hearing before the Department of Licensing (DOL). A fee of \$100 must accompany the request. DOL must hold the hearing within 60 days following the arrest.

Summary of Bill: DOL may waive the required \$100 fee if the person requesting a hearing before the department regarding license suspension or revocation following an arrest for DUI is an indigent as defined in law.

Appropriation: None.

Fiscal Note: Requested on February 25, 1999.

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

Testimony For: This bill will save time and money. When the legislation pertaining to administrative license sanctions went through the Legislature last year, the language in this bill should have been included.

Testimony Against: None.

Testified: PRO: Senator Adam Kline; Dave Chapman, Washington Association of Criminal Defense Lawyers.