

SENATE BILL REPORT

SB 5570

As Passed Senate, February 9, 2000

Title: An act relating to vehicular assault.

Brief Description: Expanding the definition of vehicular assault.

Sponsors: Senators Costa, Johnson, Kline, Honeyford, Kohl-Welles, Patterson, Gardner, Winsley and Oke; by request of Washington State Patrol.

Brief History:

Committee Activity: Judiciary: 2/24/99, 3/1/99 [DP].
Passed Senate, 3/13/99, 44-0; 2/9/00, 47-1.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

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

Staff: Aldo Melchiori (786-7439)

Background: The crime of vehicular assault is defined as any person who operates or drives a vehicle in a reckless manner or while driving under the influence and causes serious bodily injury of another person. "Serious bodily injury" means an injury that involves a substantial risk of death, serious permanent disfigurement, or the protracted loss or impairment of the function of any part or organ of the body. Vehicular assault is a class B felony, punishable by up to 10 years in state prison.

The current vehicular homicide statute includes operating or driving a vehicle in a reckless manner and driving under the influence, but adds "with disregard for the safety of others." It has been suggested that the Legislature should harmonize the two statutes.

Summary of Bill: The crime of vehicular assault is amended to include driving or operating a vehicle with disregard for the safety of others. It is required that this conduct be the proximate cause of serious bodily injury to another.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill simply adds the language of "disregard for the safety of others" to the vehicular assault statute. That language already exists in the vehicular homicide

statute, and this would harmonize the statutes. It is common sense to have the same elements in these two statutes.

Testimony Against: None.

Testified: Captain Eric Robertson, WSP (pro); Charlotte Rempfer (pro).