
HOUSE BILL 2205

State of Washington 56th Legislature 1999 1 Special Session

By Representatives McDonald, Lovick, Carrell, Constantine and Haigh

Read first time 02/19/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to the mandatory court appearance following arrest
2 for DUI; and amending RCW 46.61.50571.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.50571 and 1998 c 214 s 5 are each amended to
5 read as follows:

6 (1) A defendant who is arrested for an offense involving driving
7 while under the influence as defined in RCW 46.61.502, driving under
8 age twenty-one after consuming alcohol as defined in RCW 46.61.503, or
9 being in physical control of a vehicle while under the influence as
10 defined in RCW 46.61.504, shall be required to appear in person before
11 a magistrate within one judicial day after the arrest if the defendant
12 is served with a citation or complaint at the time of the arrest. A
13 court may by local court rule waive the requirement for appearance
14 within one judicial day if it provides for the appearance at the
15 earliest practicable day following arrest and establishes the method
16 for identifying that day in the rule.

17 (2) A defendant who is charged by citation, complaint, or
18 information with an offense involving driving while under the influence
19 as defined in RCW 46.61.502, driving under age twenty-one after

1 consuming alcohol as defined in RCW 46.61.503, or being in physical
2 control of a vehicle while under the influence as defined in RCW
3 46.61.504, and who is not arrested, shall appear in court for
4 arraignment in person as soon as practicable, but in no event later
5 than fourteen days after the next day on which court is in session
6 following the issuance of the citation or the filing of the complaint
7 or information.

8 (3) At the time of an appearance required by this section, the
9 court shall determine the necessity of imposing conditions of pretrial
10 release according to the procedures established by court rule for a
11 preliminary appearance or an arraignment.

12 (4) Appearances required by this section are mandatory and may not
13 be waived.

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