
HOUSE BILL 2612

State of Washington

56th Legislature

2000 Regular Session

By Representatives McDonald, Constantine and Hurst

Read first time 01/18/2000. Referred to Committee on Judiciary.

1 AN ACT Relating to clarifying when a defendant must appear; and
2 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 1999 c 114 s 1 are each amended to
5 read as follows:

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

18 (2) A defendant who is charged (~~by citation, complaint, or~~
19 ~~information~~) with an offense involving driving while under the

1 influence as defined in RCW 46.61.502, driving under age twenty-one
2 after consuming alcohol as defined in RCW 46.61.503, or being in
3 physical control of a vehicle while under the influence as defined in
4 RCW 46.61.504, and who is not (~~arrested~~) served with a citation or
5 complaint at the time of the incident, shall appear in court for
6 arraignment in person as soon as practicable, but in no event later
7 than fourteen days after the next day on which court is in session
8 following the issuance of the citation or the filing of the complaint
9 or information.

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

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

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