

FINAL BILL REPORT

HB 1243

C 142 L 01

Synopsis as Enacted

Brief Description: Changing provisions relating to the admissibility into evidence of a refusal to submit to a test of alcohol or drug concentration.

Sponsors: By Representatives Hurst, Esser, Carrell, Lovick, Lantz and Lambert.

House Committee on Judiciary

Senate Committee on Judiciary

Background:

The crime of DUI is committed by driving under the influence of alcohol or drugs.

Under the state's Implied Consent Law, every driver in the state has impliedly agreed to submit to a test of his or her breath or blood when lawfully stopped for DUI. The test may be for alcohol or drugs.

Refusal to submit to a test for alcohol or drugs results in the administrative loss of driving privileges.

The fact of a refusal to submit to a test for alcohol is also admissible in evidence in a criminal trial. There is no express statement to this effect with respect to a refusal to submit to a test for drugs.

Summary:

The fact of a person's refusal to submit to a drug test under the Implied Consent Law is admissible in a criminal trial.

Votes on Final Passage:

House 98 0

Senate 47 0

Effective: July 22, 2001