
Judiciary Committee

HB 2467

Title: An act relating to adding license suspension for driving under the influence for purposes of vehicular homicide.

Brief Description: Adding license suspension for driving under the influence for purposes of vehicular homicide.

Sponsors: Representatives Boldt, Mielke and Moeller.

Brief Summary of Bill
<ul style="list-style-type: none">Creates a new form of the crime of vehicular homicide by expanding the crime to cover persons who are driving when their licenses have been suspended for a drunk driving offense.

Hearing Date: 1/29/04

Staff: Bill Perry (786-7123).

Background:

The crime of vehicular homicide is committed by a person whose driving causes the death of another if the driver falls into one of three categories. These categories are that the driver was driving:

- while under the influence of alcohol or drugs;
- in a reckless manner; or
- with disregard for the safety of others.

Vehicular homicide is a class A felony with a maximum sentence of life in prison.

Under the sentencing reform act (SRA) the presumptive sentence an offender will receive is the product of his or her criminal history and the "ranking" of the offense. Crimes are ranked at levels from I to XVI. Vehicular homicide when committed while under the influence is a level IX offense. The crime when committed in a reckless manner is a level VIII offense, and when committed with disregard is a level VII offense.

The mid-point of the presumptive sentence range for each of these offenses for an offender with no criminal history is as follows:

- three years for driving while under the influence;

- two years for driving in a reckless manner; and
- 13 months for driving with disregard.

Any crime that is not ranked under the SRA has a presumptive sentence range of up to one year.

Summary of Bill:

A person whose license has been suspended because of a DUI offense commits the crime of vehicular homicide if his or her driving causes the death of another person.

The crime is an unranked class A felony.

Appropriation: None.

Fiscal Note: Requested on January 21, 2004.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.