Public Safety Committee

HB 2280

Brief Description: Making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony.

Sponsors: Representatives Klippert and Hayes.

Brief Summary of Bill

- Increases a felony level Driving Under the Influence offense from a class C felony to a class B felony offense.

Hearing Date: 1/13/16

Staff: Yvonne Walker (786-7841).

Background:

A person can commit Driving Under the Influence (DUI) or being in Physical Control (PC) of a motor vehicle under the influence of intoxicating liquor or any drug if the person drives with a blood or breath alcohol concentration (BAC) of 0.08 or higher, a THC (tetrahydrocannabinol) concentration of 5.0 or higher, or is under the influence of or affected by liquor or any drug. A DUI offense is punishable as a gross misdemeanor. It becomes a seriousness level V, class C felony offense if a person has four or more prior offenses within 10 years or has previously been convicted of vehicular homicide or Vehicular Assault, while under the influence of intoxicating liquor or any drug.

The statutory maximum sentence for a class C felony carries a sentence of five years in prison, a maximum fine of $10,000, or both imprisonment and a fine. The statutory maximum sentence for a class B felony offense is 10 years in prison, a maximum fine of $20,000, or by both imprisonment and a fine.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A felony level DUI offense is increased to a class B felony offense (from a class C felony).

Appropriation: None.

Fiscal Note: Requested on January 7, 2016.

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