

# FINAL BILL REPORT

## SHB 3124

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C 214 L 10  
Synopsis as Enacted

**Brief Description:** Requiring a report to child protective services when a child is present in the vehicle of a person arrested for driving or being in control of a vehicle while under the influence of alcohol or drugs.

**Sponsors:** House Committee on Early Learning & Children's Services (originally sponsored by Representatives Roberts, Kagi, Simpson and Kenney).

**House Committee on Judiciary**  
**House Committee on Early Learning & Children's Services**  
**Senate Committee on Human Services & Corrections**

### **Background:**

Certain persons are required by law to notify child protective services or law enforcement when there is reasonable cause to believe a child has been abused or neglected. These persons are commonly called mandated reporters.

In a study by the Centers for Disease Control and Prevention (CDC) regarding collisions involving drunk driving when children were present in the car the CDC reported that 1,451 children were killed between 1997-2002. This represented 68 percent of all child deaths from vehicle collisions. Of the children who died in these crashes, less than one-third were properly buckled in a child safety restraint.

### **Summary:**

When a child under age 13 is present in the car of a parent or legal custodian or guardian being arrested for a drug- or alcohol-related driving offense, the arresting law enforcement officer must promptly notify child protective services. The officer is not required to take custody of the child, unless there is no one properly authorized to take custody of the child or the officer believes the child will be at imminent risk unless taken into emergency custody.

### **Votes on Final Passage:**

House	94	0	
Senate	47	0	(Senate amended)

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*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.*

House			(House refused to concur)
Senate	47	1	(Senate amended)
House			(House refused to concur)
Senate			(Senate insists on its position)
House	97	0	(House concurred)

**Effective:** June 10, 2010