

FINAL BILL REPORT

SHB 1083

C 218 L 98

Synopsis as Enacted

Brief Description: Authorizing use of department of licensing records in criminal prosecutions.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives McDonald, Sheahan and Mielke).

House Committee on Law & Justice
Senate Committee on Law & Justice

Background: The Department of Licensing (DOL) is required to keep various records relating to drivers' licenses. Generally, the DOL must keep a case record for each driver in the state for each traffic offense committed by the driver. The DOL must also keep a cross-referenced case record of each accident in which the driver is involved, including a brief statement of the cause of the accident.

These case records are generally confidential, but they are available for the confidential use of the DOL, the State Patrol, the Traffic Safety Commission, and police officers as authorized by law. The DOL uses the case records for determining when "in the best interest of public safety" a driver's license should be suspended or revoked. The case records may not be offered as evidence in court, except as part of an appeal from the DOL's suspension or revocation of a driver's license.

Summary: The DOL case records of a driver's history may be introduced as evidence in court where relevant to the prosecution or defense of a criminal charge.

Votes on Final Passage:

House 93 0
Senate 43 0 (Senate amended)
House 95 1 (House concurred)

Effective: June 11, 1998