

HOUSE BILL ANALYSIS

SB 6591

Title: An act relating to waiver of administrative alcohol or drug-related hearing fees due to indigency.

Brief Description: Providing for waiver of administrative alcohol or drug-related hearing fees due to indigency.

Sponsors: Senators Horn, Haugen and Wood; by request of Department of Licensing.

HOUSE COMMITTEE ON LAW & JUSTICE

Staff: Daniel Jablonsky (786-5793); Bill Perry (786-7123).

Background: The Department of Licensing (DOL), when properly notified by a law enforcement agency, is required to suspend, revoke, deny, or place in a probationary status the license of anyone driving or in physical control of a motor vehicle if that person: (1) had a blood or breath alcohol level in excess of the statutory limit, or (2) refused to submit to a breath test. Any person may request a hearing of these DOL actions if he or she submits a request in writing to the DOL within 30 days of receiving notice and pays a fee of \$100.

The United States Supreme Court has held that persons may not be denied equal access to an appeal of their case based on an inability to pay court costs.

Summary of Bill: The DOL may waive the \$100 fee required for a hearing if a person is indigent.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Office of Program Research