

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 2612**

Chapter 52, Laws of 2000

56th Legislature  
2000 Regular Session

DUI DEFENDANTS--COURT APPEARANCE

EFFECTIVE DATE: 6/8/00

Passed by the House February 10, 2000  
Yeas 97 Nays 0

CLYDE BALLARD  
**Speaker of the House of  
Representatives**

FRANK CHOPP  
**Speaker of the House of  
Representatives**

Passed by the Senate March 1, 2000  
Yeas 42 Nays 0

BRAD OWEN  
**President of the Senate**

Approved March 22, 2000

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2612** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

CYNTHIA ZEHNDER  
**Chief Clerk**

FILED

March 22, 2000 - 3:48 p.m.

**Secretary of State  
State of Washington**

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HOUSE BILL 2612

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Passed Legislature - 2000 Regular Session

State of Washington                      56th Legislature                      2000 Regular Session

By Representatives McDonald, Constantine and Hurst

Read first time 01/18/2000. Referred to Committee on Judiciary.

1            AN ACT Relating to clarifying when a defendant must appear; and  
2 amending RCW 46.61.50571.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 46.61.50571 and 1999 c 114 s 1 are each amended to  
5 read as follows:

6            (1) A defendant who is (~~arrested for~~) charged with an offense  
7 involving driving while under the influence as defined in RCW  
8 46.61.502, driving under age twenty-one after consuming alcohol as  
9 defined in RCW 46.61.503, or being in physical control of a vehicle  
10 while under the influence as defined in RCW 46.61.504, shall be  
11 required to appear in person before a (~~magistrate~~) judicial officer  
12 within one judicial day after the arrest if the defendant is served  
13 with a citation or complaint at the time of the arrest. A court may by  
14 local court rule waive the requirement for appearance within one  
15 judicial day if it provides for the appearance at the earliest  
16 practicable day following arrest and establishes the method for  
17 identifying that day in the rule.

18            (2) A defendant who is charged (~~by citation, complaint, or~~  
19 ~~information~~) with an offense involving driving while under the

1 influence as defined in RCW 46.61.502, driving under age twenty-one  
2 after consuming alcohol as defined in RCW 46.61.503, or being in  
3 physical control of a vehicle while under the influence as defined in  
4 RCW 46.61.504, and who is not ((arrested)) served with a citation or  
5 complaint at the time of the incident, shall appear in court for  
6 arraignment in person as soon as practicable, but in no event later  
7 than fourteen days after the next day on which court is in session  
8 following the issuance of the citation or the filing of the complaint  
9 or information.

10 (3) At the time of an appearance required by this section, the  
11 court shall determine the necessity of imposing conditions of pretrial  
12 release according to the procedures established by court rule for a  
13 preliminary appearance or an arraignment.

14 (4) Appearances required by this section are mandatory and may not  
15 be waived.

Passed the House February 10, 2000.

Passed the Senate March 1, 2000.

Approved by the Governor March 22, 2000.

Filed in Office of Secretary of State March 22, 2000.