
Judiciary Committee

HB 2644

Title: An act relating to drunk driving courts.

Brief Description: Authorizing creation of drunk driving courts.

Sponsors: Representatives O'Brien, Lantz, Cody and Kenney.

Brief Summary of Bill

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| <ul style="list-style-type: none">• Explicitly authorizes local jurisdictions to create drunk driving courts;• Describes what would constitute a drunk driving court; and• Establishes requirements for seeking any state funding that may be available. |
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Hearing Date: 1/29/04

Staff: Bill Perry (786-7123).

Background:

The crime of driving while under the influence of intoxicating liquor or drugs (DUI) is the subject of extensive and complex provisions in state law. Many mandatory administrative and criminal sanctions are prescribed, and many optional programs are available. These provisions include:

- deferred prosecution;
- jail;
- electronic home detention;
- fines;
- evaluation for alcoholism or drug addiction;
- treatment for alcoholism or drug addiction;
- loss of driver's licenses;
- use of ignition interlocks;
- occupational licenses;
- probationary licenses; and
- five years of probation restrictions

In addition to these statutorily required or allowed responses to DUI, courts have general or inherent authority to impose sanctions such as community service.

Recently, the Legislature has explicitly authorized "drug courts" in the superior courts of the state. These courts are designed to deal intensively with drug law offenders who may benefit from judicially supervised treatment.

DUI is generally prosecuted in courts of limited jurisdiction.

Summary of Bill:

Local jurisdictions are explicitly authorized to establish and operate "drunk driving courts."

A drunk driving court is one that has special calendars or dockets for cases in which it is felt that continuous, intense, judicially supervised treatment and testing may reduce recidivism and substance abuse among offenders. A drunk driving court may deal with DUI offenders or with those first degree negligent driving offenders whose cases were originally filed as DUI cases.

No state funding is provided, but if funding is available, a local jurisdiction must meet certain requirements before applying for state funds. The local jurisdiction must first exhaust all relevant federal funds and must match any state funds with local funds on a one-for-one basis.

Appropriation: None.

Fiscal Note: Not requested.

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