

**SENATE BILL REPORT**

**SSB 5069**

**AS PASSED SENATE, FEBRUARY 25, 1991**

**Brief Description:** Changing the blood and breath alcohol content standards for intoxication for those persons under the age of twenty one.

**SPONSORS:** Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen, Talmadge, Oke, Bailey, Craswell, Thorsness, McCaslin, Johnson, Roach, Metcalf, Vognild and Conner).

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 5069 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, Kreidler, L., Madsen, Newhouse, Rasmussen, and Smith, A.

**Staff:** Richard Rodger (786-7461)

**Hearing Dates:** January 22, 1991; January 28, 1991

**BACKGROUND:**

One way to commit the crime of drunk driving (DWI) is to operate or control a motor vehicle while having more than a certain amount of alcohol in one's blood or breath. The "per se" standard that defines this form of DWI is: (1) 0.10 grams or more of alcohol per 210 liters of breath; or (2) 0.10 percent or more by weight of alcohol in the blood. These two standards are considered equivalent measures of the amount of alcohol a person has consumed.

**SUMMARY:**

The per se standard for DWI is lowered for drivers under the age of 21. The new standard is: (1) any amount more than 0.04 grams of alcohol per 210 liters of breath; or (2) any amount more than 0.04 percent or more by weight of alcohol in the blood.

The adult standard is lowered to 0.08 to correspond to the change made in SB 5067.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

Lowering the blood alcohol concentration level to 0.04 for minors will help reduce traffic deaths and injuries within our state.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Tim Erickson, WSP (pro); Mike Redman, WAPA (pro); Washington Advocates for Highway and Auto Safety (pro); Susan Tracy, WSMA (pro); Dr. Burgman, WSMA (pro); Basil Badley, American Insurance Association (pro); Jean Leonard, State Farm and Washington Insurers (pro); Maribeth O'Conner, Group Health (pro); Mel Sorensen, National Association of Independent Insurers (pro); Linda Grant, Association of Alcohol and Treatment Providers (pro)