

1 **SSB 5141** - H AMDS TO H COMM AMD (H-2803.1) **685 ADTD 4/7/95**

2 By Representative Robertson and others

3 On page 2, beginning on line 17, after "test" insert the
4 following "and that a knowing refusal to submit to the test is a
5 crime punishable as a gross misdemeanor"

6
7 On page 34, after line 12, insert the following:

8 "NEW SECTION. Sec. 26. A new section is added to chapter
9 46.20 RCW to read as follows:

10 (1) A person is guilty of refusal to submit to a breath
11 alcohol test when he or she:

12 (a) Is arrested for any offense where, at the time of the
13 arrest, the arresting officer has reasonable grounds to believe
14 the arrested person had been driving or was in actual physical
15 control of a motor vehicle while under the influence of
16 intoxicants; and

17 (b) Receives the warnings under RCW 46.20.308(2); and

18 (c) Knowingly, as defined in RCW 9A.08.010(1)(b), refuses to
19 submit to the test offered pursuant to RCW 46.20.308.

20 (2) Refusal to submit to a breath alcohol test is a gross
21 misdemeanor.

22
23 Correct internal references accordingly.

EFFECT: Creates a criminal offense of refusal to submit to a
breath alcohol test and provides for implied consent
warnings of potential criminal charges upon a refusal.

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