
SUBSTITUTE SENATE BILL 5872

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Heavey, Eide and Oke)

Read first time 03/03/1999.

1 AN ACT Relating to operating a motor vehicle after consuming
2 alcohol; adding a new section to chapter 46.61 RCW; and prescribing
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
6 to read as follows:

7 (1) It is a traffic infraction for a person to drive or be in
8 physical control of a motor vehicle after consuming alcohol if the
9 person operates or is in physical control of a motor vehicle within
10 this state and the person:

11 (a) Is age twenty-one or over; and

12 (b) Has, within two hours after operating or being in physical
13 control of the motor vehicle, an alcohol concentration of at least 0.02
14 but less than the concentration specified in RCW 46.61.502, as shown by
15 analysis of the person's breath or blood made under RCW 46.61.506.
16 Before a law enforcement officer may administer a test or tests of
17 breath or blood, the officer must have reasonable grounds to believe
18 the person to have been driving or in actual physical control of a

1 motor vehicle within this state while under the influence of
2 intoxicating liquor or any drug.

3 (2) The department shall suspend for thirty days the license or
4 permit to drive, or the nonresident driving privilege, of a person
5 found to have committed a violation of this section.

6 (3) The legislature respectfully requests that the supreme court,
7 as provided by RCW 46.63.110, set the penalty for a violation of this
8 section at five hundred dollars.

--- END ---