

SENATE BILL REPORT

SHB 1083

As Reported By Senate Committee On:
Law & Justice, February 27, 1998

Title: An act relating to use of department of licensing records in criminal prosecutions.

Brief Description: Authorizing use of department of licensing records in criminal prosecutions.

Sponsors: House Committee on Law & Justice (originally sponsored by Representatives McDonald, Sheahan and Mielke).

Brief History:

Committee Activity: Law & Justice: 3/31/97; 1/16/98, 2/27/98 [DPA].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Roach, Chair; Fairley, Hargrove, Long, McCaslin and Stevens.

Staff: Harry Steinmetz (786-7421)

Background: The Department of Licensing (DOL) is required to keep various records relating to drivers' licenses. Generally, DOL is to keep a case record for each driver in the state of each traffic offense committed and a cross-referenced case record of each accident in which the driver is involved, including a brief statement of the cause of the accident.

These case records are generally confidential. They are to be available for the confidential use of DOL, the State Patrol, the Traffic Safety Commission, and police officers as authorized by law. DOL uses the case records for determining when "in the best interest of public safety" a driver's license should be suspended or revoked. The case records may not be offered as evidence in court, except as part of an appeal from a DOL suspension or revocation of a driver's license.

Summary of Amended Bill: DOL case records of a driver's history may be introduced as evidence in court where relevant to the prosecution or defense of a criminal charge.

Amended Bill Compared to Original Bill: The phrase "offered as" is changed to "admitted into" evidence. This clarifies that the judge makes the decision as to the relevancy of the case record being admitted into evidence.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: No one.