
HOUSE BILL 1735

State of Washington

56th Legislature

1999 Regular Session

By Representatives Hurst, Ballasiotes, Lovick, Constantine, Campbell, McIntire, O'Brien, Cooper, Miloscia, Santos, Lantz, Stensen, Kagi and Regala

Read first time . Referred to Committee on .

1 AN ACT Relating to punitive damages for wrongful death or personal
2 injuries caused while driving under the influence of alcohol or drugs;
3 and adding a new section to chapter 4.24 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
6 to read as follows:

7 (1) A person who drives a motor vehicle while under the influence
8 of intoxicating liquor or any drug and as a result of that condition
9 proximately causes personal injury or wrongful death of a victim or
10 victims may be liable for punitive damages in addition to damages
11 otherwise recoverable. The trier of fact shall determine the amount of
12 any punitive damages. No punitive damages shall be payable under any
13 liability insurance contract covering the driver.

14 (2) The court shall ensure that one-half of any punitive damages
15 collected is deposited in the public safety and education account under
16 RCW 43.08.250, to be appropriated for crime victims' compensation. No
17 fees or costs may be paid out of the portion of punitive damages to be
18 deposited in the public safety and education account. No agreement for
19 the payment of attorneys' fees may calculate fees against a base that

1 includes the portion of punitive damages to be deposited in the public
2 safety and education account, and any agreement to the contrary is void
3 as against public policy and unenforceable.

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