

SENATE BILL REPORT

SB 5002

As of January 12, 2023

Title: An act relating to alcohol concentration.

Brief Description: Concerning alcohol concentration.

Sponsors: Senators Lovick, Lias, Dhingra, Kuderer, McCune, Nguyen, Rolfes, Shewmake, Valdez, Wilson, C., Wilson, J. and Wilson, L..

Brief History:

Committee Activity: Law & Justice: 1/16/23.

Brief Summary of Bill

- Reduces the breath or blood alcohol concentration limit for operating a motor vehicle from 0.08 to 0.05.
- Reduces the breath or blood alcohol concentration limit for physical control of a motor vehicle from 0.08 to 0.05.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Tim Ford

Background: Impaired Driving. A person commits the crime of driving while under the influence (DUI) of intoxicating liquor, cannabis, or any drug if the person drives a motor vehicle:

- with a breath or blood alcohol concentration of 0.08 percent or higher;
- with a THC concentration of five or higher in their blood; or
- under the influence or a combined influence of intoxicating liquor, marijuana, and any drug.

The same factors apply for the crime of being in physical control (PC) of a motor vehicle

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while under the influence of intoxicating liquor, marijuana, or any drug if the person has actual physical control of a vehicle.

A DUI or PC criminal offense is punishable as a gross misdemeanor if the person has fewer than three prior DUI or PC convictions within seven years. It becomes a felony offense if a person has three or more prior convictions within ten years.

Summary of Bill: Impaired Driving. The breath or blood alcohol concentration limit of 0.08 percent or higher is reduced to 0.05 or higher for a person guilty of:

- driving while under the influence of intoxicating liquor, cannabis, or any drug; or
- being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug.

Appropriation: None.

Fiscal Note: Requested on January 4, 2022.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2023.