

FISCAL NOTE

HB 1202 - SB 1904

March 18, 1999

SUMMARY OF BILL: Provides if an officer has probable cause to believe a driver was under the influence of alcohol or drugs and was involved in an accident that injured or killed another person, the blood alcohol or drug test is to be administered whether the driver gives consent or not and the test is admissible in court. Under existing law, any person driving in the state has given implied consent for a blood alcohol or drug test should a law enforcement officer have reasonable grounds to have such a test administered. Law enforcement officers should inform those refusing to take the test that refusal could result in the suspension of a driver's license for one year. If the driver was involved in an accident and refuses the test, the license is suspended for two years. If a person was killed in the accident, and the driver refuses the test, the license is suspended for five years. If a person is unconscious or otherwise incapable of rendering a refusal, the test is given anyway but its results are not admissible in court.

ESTIMATED FISCAL IMPACT:

MINIMAL

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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