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**KING COUNTY DISTRICT COURT
SOUTH DIVISION
BURIEN COURTHOUSE**

State) Case No.: C526046,C00519043
Plaintiff,)
V) Findings,Conclusions, and Judgment
Briggs (formerly Hardley), et al; and)
Civile)
Defendant)

Re: Defendant's motion to reconsider State v Civile, and
State's motion to reconsider remedy opinion in State v Hardley et al
(now Briggs, et al)

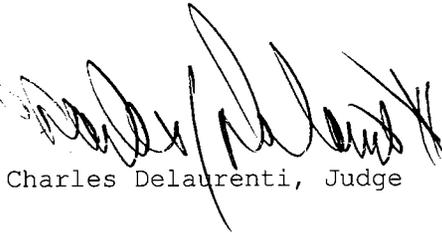
The court, having considered all material submitted and oral argumement, and
having previously found SHB 3055 unconstitutional, finds and concludes as
follows:

The State Toxicologist, based upon perceived authorization from SHB 3055,
attempted to repeal WAC 448-13 and institute new WACs under 448-16. However,
because SHB 3055 was unconstitutional and thus void ab initio, the State
Toxicologist had no authority to change the WACs to comply with SHB 3055.
Thus WACs 448-16-010 et. seq. are void ab initio, and WACs 448-13-010 et.
seq. remain in effect.

The court therefore concludes that breath tests are valid if they comply with
WACs 448-13-010 et. seq. Admissibility and reliability of test results are
still subject to judicial determination.

Dated July 5, 2005


D. Mark Eide, Judge
by DMC


Charles Delaurenti, Judge


David Christie, Judge