

# SENATE BILL REPORT

## SB 6785

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As Reported By Senate Committee On:  
Judiciary, February 4, 2000

**Title:** An act relating to ignition interlock devices.

**Brief Description:** Requiring ignition interlock devices upon any DUI conviction.

**Sponsors:** Senators Costa, Goings, Kline and Oke.

**Brief History:**

**Committee Activity:** Judiciary: 2/4/2000 [DPS].  
Transportation: 2/8/2000.

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** That Substitute Senate Bill No. 6785 be substituted therefor, and the substitute bill do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Haugen, Long, Roach, Thibaudeau and Zarelli.

**Staff:** Lidia Mori (786-7755)

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Michelle Chase (786-7305)

**Background:** A person convicted of driving or physical control of a motor vehicle under the influence of liquor or any drug will be ordered by the court, if the alcohol concentration involved was at least .15, to drive only a vehicle equipped with an ignition interlock or other biological or technical device. A person who has not previously been restricted to driving only a vehicle with an ignition interlock will be required to do so for a period of not less than one year.

A person who is convicted of an offense for which suspension or revocation of the driver's license is mandatory, other than vehicular homicide or vehicular assault, may apply for an occupational license. If the applicant demonstrates to the Department of Licensing that he or she is engaged in an occupation or trade that makes operation of a motor vehicle essential, the department may issue an occupational driver's license and set restrictions as provided by law.

**Summary of Substitute Bill:** An applicant for an occupational driver's license whose license has been suspended or revoked due to a conviction of DUI, an arrest for DUI where the alcohol concentration involved was .08 or higher, or an arrest where the person was under age 21 and the alcohol concentration was .02 or higher is required to provide proof

of installation of an ignition interlock device on his or her vehicle to the Department of Licensing. The proof must be from a provider certified by the Washington State Patrol (WSP). The WSP revokes the certification of a provider that issues any false or inaccurate form of proof of installation of an ignition interlock device.

A court orders a person convicted of driving or physical control of a motor vehicle under the influence of liquor or any drug to drive only a vehicle equipped with an ignition interlock after the applicable period of suspension or revocation. Any person who is restricted to operating only a vehicle with an ignition interlock device may operate an employer's vehicle without such a device during normal business activities, provided the person does not partly or entirely own or control the employer's vehicle or business.

A person who is convicted of DUI where the alcohol concentration involved was at least .15 and there has been no prior offense within seven years may apply for a new license after six months of revocation if the applicant provides proof of installation of an ignition interlock device on his or her vehicle. The applicant may drive no other vehicle for a period of one year except as allowed in the employer exemption.

**Substitute Bill Compared to Original Bill:** The court orders a person convicted of driving under the influence of alcohol or any drug to drive only a vehicle with an ignition interlock device after the applicable period of suspension or revocation. An employer exemption is created so that a person who is restricted to driving only a vehicle with an ignition interlock operate an employer's vehicle without such a device during normal business hours. A person whose license is suspended or revoked due to an alcohol related offense must show proof to the Department of Licensing of having an ignition interlock installed in his or her vehicle before being able to obtain an occupational license. A person convicted of a DUI with an alcohol concentration of .15 or more may apply for a new license after six months of revocation if he or she shows proof of installation of an ignition interlock device on his or her vehicle and agrees to drive no other vehicle for one year.

**Appropriation:** None.

**Fiscal Note:** Requested on February 2, 2000.

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

**Testimony For (Judiciary):** Requiring drunk drivers to have ignition interlocks in their vehicles has been tremendously effective in terms of recidivism. The certificates of proof of installation could be transmitted electronically to DOL so there is little extra burden on DOL.

**Testimony Against (Judiciary):** None.

**Testified (Judiciary):** PRO: Pete Youngers, Jerry Stanton, Ignition Interlock of WA; Marie Howe, Mothers Against Drunk Driving.