VETO MESSAGE ON E2SHB 3254

March 31, 2008

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Section 18, Engrossed Second Substitute House Bill 3254 entitled:

> "AN ACT Relating to accountability for persons driving under the influence of intoxicating liquor or drugs."

Prevention of driving under the influence (DUI) collisions is a priority of my administration. The Ignition Interlock Driver's License will further our state's efforts to prevent DUI related fatalities on our roadways. The use of ignition interlocks has been proven to reduce future incidents of DUI among individuals who have been required to have the devices installed in their cars. However, I am concerned about potential unintended consequences of Section 18.

Section 18 allows first time offenders to receive a deferred prosecution, even if they are found not to have a drug or alcohol addiction. Current law only allows for deferred prosecution if a person is assessed to have a drug or alcohol addiction and agrees to receive treatment for their addiction.

This section presents a change in public policy, which may well promote public safety, but I believe further review is necessary before making this change. Therefore, I am vetoing this section and encourage stakeholders to consider the merits of this change over the interim. I am also directing the Division of Alcohol and Substance Abuse to review the current treatment assessment process to make sure we are getting accurate assessments. I also want them to determine if alternatives to treatment such as the one proposed in Section 18 might be a more cost-effective approach to public safety in certain instances involving first time DUI offenders.

For these reasons, I have vetoed Section 18 of Engrossed Second Substitute House Bill 3254.

With the exception of Section 18 of Engrossed Second Substitute House Bill 3254 is approved.

Respectfully submitted,
Christine Gregoire
Governor