S-4083.1

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**SUBSTITUTE SENATE BILL 5791**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Padden, Liias, Kuderer, Lovick, McCune, and Nobles)

AN ACT Relating to the evaluation of the effectiveness of oral fluid roadside information in the enforcement of driving under the influence laws; creating a new section; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The Washington state patrol shall establish a pilot program to evaluate the outcomes and effectiveness of oral fluid roadside information used as part of the enforcement of driving under the influence laws. The state patrol must select a minimum of 10 geographical locations to implement the pilot program as part of the field sobriety evaluation used in the investigation of suspected violations of driving under the influence laws. Pilot program locations must be initiated by March 1, 2025. The state patrol must establish specific requirements for pilot program locations including, but not limited to:

(a) Selection of a valid and reliable oral fluid test instrument or instruments to be used;

(b) Training for its law enforcement officers allowed to administer the test; and

(c) Measures to protect personally identifying information from unnecessary and improper dissemination.

(2) By June 30, 2026, the Washington state patrol must submit a report detailing the results of the pilot program to the appropriate policy and fiscal committees of the legislature.

(3) This section expires January 1, 2027.

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