

WSR 22-03-079

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed January 18, 2022, 9:53 a.m., effective February 18, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: WAC 308-107-060 (1)(a), (2), and (3) are amended to reflect the new fee of \$21.00, which is explicitly dictated by statute.

Citation of Rules Affected by this Order: Amending WAC 308-107-060 (1)(a), (2), and (3).

Statutory Authority for Adoption: RCW 46.20.385 and 46.01.110.

Adopted under notice filed as WSR 21-23-111 on November 17, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 18, 2022.

Ellis Starrett  
Rules and Policy Manager

**OTS-3494.1**

AMENDATORY SECTION (Amending WSR 12-17-076, filed 8/14/12, effective 9/14/12)

**WAC 308-107-050 Ignition interlock device revolving account.**

(1) (a) As required under RCW 46.20.385 (6) (a), unless determined by the department to be indigent under WAC 308-107-060, a person who is applying for or has been issued an ignition interlock driver's license, or (b) a person who is restricted under RCW 46.20.720, must pay an additional fee of (~~twenty dollars~~) \$21 per month or partial month for which the ignition interlock driver's license is valid or an ignition interlock device is installed to the manufacturer of the device(s) installed in the motor vehicle(s) driven by the person. Payment may be made directly to the manufacturer, or through the authorized service provider, depending upon the manufacturer's business practices.

(2) A manufacturer providing devices to persons who are required to have an ignition interlock device, either directly or through an authorized service provider, must enter into an agreement with the department for the collection and transmittal of the (~~twenty dollar~~) \$21 monthly fee required under RCW 46.20.385 (6) (a) or 46.20.720(6). Any agreement made under this section must include appropriate reporting requirements and accounting practices to permit the department to

audit the handling of the fees that must be remitted to the department. The department may terminate an agreement with a manufacturer upon a showing of good cause. Good cause may include, but not be limited to;

- (a) Violation of the agreement;
- (b) Violation of the laws and rules governing the installation of devices; or
- (c) Violation of this chapter.

An agreement between the department and a manufacturer will be valid for no more than four years, provided that the department may extend an agreement for up to an additional four years at its discretion.

(3) As provided by RCW 46.20.385 (6) (b) and 46.20.720(6), the department shall deposit the proceeds of the (~~twenty-dollar~~) \$21 fee into the ignition interlock device revolving account.

[Statutory Authority: RCW 46.01.110, 46.20.385, and 46.20.720. WSR 12-17-076, § 308-107-050, filed 8/14/12, effective 9/14/12. Statutory Authority: RCW 46.01.110 and 46.20.385. WSR 11-01-037, § 308-107-050, filed 12/6/10, effective 1/6/11. Statutory Authority: RCW 46.01.110, 46.20.385, 46.20.391, and 46.20.745. WSR 08-24-059, § 308-107-050, filed 11/26/08, effective 1/1/09.]