

2 **SSB 6165** - S AMD - 630

3 By Senators Rossi, Kline, Roach and Fairley

4 ADOPTED 2/12/98

5 Beginning on page 1, line 5, strike all of section 1 and insert the  
6 following:

7 "**Sec. 1.** RCW 46.20.720 and 1997 c 229 s 8 are each amended to read  
8 as follows:

9 (1) The court may order that after a period of suspension,  
10 revocation, or denial of driving privileges, and for up to as long as  
11 the court has jurisdiction, any person convicted of any offense  
12 involving the use, consumption, or possession of alcohol while  
13 operating a motor vehicle may drive only a motor vehicle equipped with  
14 a functioning ignition interlock or other biological or technical  
15 device.

16 (2) If a person is convicted of a violation of RCW 46.61.502 or  
17 46.61.504 or an equivalent local ordinance, the court shall order that  
18 after a period of suspension, revocation, or denial of driving  
19 privileges, the person may drive only a motor vehicle equipped with a  
20 functioning ignition interlock or other biological or technical device.

21 (3) The court shall establish a specific calibration setting at  
22 which the ignition interlock or other biological or technical device  
23 will prevent the motor vehicle from being started and the period of  
24 time that the person shall be subject to the restriction. In the case  
25 of a person under subsection (2) of this section, the period of time of  
26 the restriction will be as follows:

27 (a) For a person subject to RCW 46.61.5055 (1)(b), (2), or (3) who  
28 has not previously been restricted under this section, a period of not  
29 less than one year;

30 (b) For a person who has previously been restricted under (a) of  
31 this subsection, a period of not less than five years;

32 (c) For a person who has previously been restricted under (b) of  
33 this subsection, a permanent, lifetime restriction.

1        For purposes of this section, "convicted" means being found guilty  
2 of an offense or being placed on a deferred prosecution program under  
3 chapter 10.05 RCW."

--- END ---

**EFFECT:** Current law allows a court the discretionary authority to require an interlock device if the offender is convicted of an alcohol related driving offense. The bill makes the interlock mandatory for DUI offenses, and this amendment maintains the court's discretionary authority to require the device for other alcohol related driving offenses.