

FINAL BILL REPORT

ESSB 6165

PARTIAL VETO

C 210 L 98

Synopsis as Enacted

Brief Description: Directing mandatory ignition interlocks for DUI offenders.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Rossi, Roach, Rasmussen, Goings, T. Sheldon, McCaslin, Strannigan, Zarelli, Long, Deccio, Oke, Kline, Wood, Schow, Swecker, Stevens, Haugen, Johnson, Benton and Winsley).

Senate Committee on Law & Justice

House Committee on Law & Justice

House Committee on Appropriations

Background: A court may order a person convicted of an offense involving the use, consumption, or possession of alcohol while operating a motor vehicle to drive only a vehicle equipped with an ignition interlock device for a period of not less than six months. The Department of Licensing must attach or imprint a notation on the license of a person required to drive only a vehicle equipped with an ignition interlock device. It is a misdemeanor for a person with such a notation to drive any vehicle that is not equipped with the ignition interlock device.

Summary: This act may be known and cited as the Mary Johnsen Act. The court must require a person convicted of DUI to drive only a motor vehicle equipped with an ignition interlock device, but may waive this requirement if it finds such devices are not reasonably available in the local area. For a first conviction of driving a vehicle not equipped with such a device when the person is restricted to driving only such a vehicle, the minimum jail time is 30 days. A second offense results in a minimum of 60 days in jail and a third offense is 90 days in jail.

When a person is arrested for circumventing the interlock device, his or her car is impounded as evidence until sentencing is complete.

Local governments may submit claims for reimbursement by the Legislature if verifiable additional costs are created by this act.

Votes on Final Passage:

Senate	48	0	
House	91	6	(House amended)
Senate			(Senate refused to concur)

Conference Committee

House	97	0
Senate	49	0

Effective: January 1, 1999

Partial Veto Summary: The mandatory jail periods of 30, 60, and 90 days for driving without an interlock device when required to do so are removed.

The requirement that vehicles driven without interlocks in violation of court orders be impounded for use as evidence is vetoed.

The section is vetoed that requires all DUI charges be filed in court and defendants arraigned on the charges within 21 days of arrest.

The Office of Financial Management is not required to verify claims from local governments for increased levels of services mandated by the act.