

SENATE BILL REPORT

HB 1419

As Reported By Senate Committee On:
Judiciary, March 27, 2001

Title: An act relating to drivers required to use ignition interlock or other biological or technical devices.

Brief Description: Requiring a notation in the driving record when a driver is required to use an ignition interlock or other biological or technical device.

Sponsors: By Representatives Hurst, Esser, Lantz, Carrell, Haigh, O'Brien, Roach and Ruderman.

Brief History:

Committee Activity: Judiciary: 3/19/01, 3/27/01 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Constantine, Vice Chair; Costa, Hargrove, Johnson, Kastama, Long, McCaslin, Roach, Thibaudeau and Zarelli.

Staff: Lidia Mori (786-7755)

Background: An ignition interlock is a device that prevents a person who has recently consumed alcohol from starting a motor vehicle.

For any offense involving the use, consumption, or possession of alcohol that is committed while driving, the court may order that an ignition interlock system be installed on any car the person is to drive. For all DUI offenders (except first-time offenders with low alcohol concentrations), the court must order the use of an interlock. The time that the interlock must be used begins after any period of driver's license loss, and the length of required use increases with the number of times an interlock has been ordered in the past.

The Department of Licensing is directed to attach or imprint— a notation on the driver's license of any person who has been ordered to use an ignition interlock. It is a misdemeanor for a person with such a notation— to drive a vehicle without an interlock.

Apparently, in some instances persons who have been ordered to use an interlock have not had their drivers' licenses marked, and courts have refused to convict them of violating the interlock law.

Summary of Bill: Notations of required ignition interlock use must be made on the driving records maintained by the Department of Licensing, rather than on the driver's license.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill removes the need for the defendant in a DUI case to take the affirmative step of going to the Department of Licensing and getting their driver's license marked. The responsibility will instead be on the department to make a notation on the driving record of the DUI defendant that he or she is restricted to driving only a vehicle with an ignition interlock device.

Testimony Against: None.

Testified: Michelle Walker, City of Kent Prosecuting Attorney's Office.