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HOUSE BILL 1872

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Ericks, O'Brien, Kretz, P. Sullivan, Buri, Sells and Simpson

Read first time 02/09/2005. Referred to Committee on Judiciary.

1            AN ACT Relating to ignition interlock devices; amending RCW  
2 46.04.215 and 46.20.750; and prescribing penalties.

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

4            **Sec. 1.** RCW 46.04.215 and 1997 c 229 s 9 are each amended to read  
5 as follows:

6            "Ignition interlock device" means breath alcohol analyzing ignition  
7 equipment((~~τ~~)) or other biological or technical device certified by the  
8 state patrol((~~τ~~)) and designed to prevent a motor vehicle from being  
9 operated by a person who has consumed an alcoholic beverage(~~(, and~~  
10 ~~"other biological or technical device" means any device meeting the~~  
11 ~~standards of the National Highway Traffic Safety Administration or the~~  
12 ~~state patrol, designed to prevent the operation of a motor vehicle by~~  
13 ~~a person who is impaired by alcohol or drugs))~~). The state patrol  
14 shall by rule provide standards for the certification, installation,  
15 repair, and removal of the devices.

16            **Sec. 2.** RCW 46.20.750 and 1994 c 275 s 25 are each amended to read  
17 as follows:

18            (1) A person who is restricted to the use of a vehicle equipped

1 with an ignition interlock device and who tampers with the device or  
2 directs, authorizes, or requests another to tamper with the device, in  
3 order to circumvent the device by modifying, detaching, disconnecting,  
4 or otherwise disabling it, is guilty of a gross misdemeanor.

5 (2) A person who knowingly assists another person who is restricted  
6 to the use of a vehicle equipped with an ignition interlock ((~~or other~~  
7 biological or technical)) device to circumvent the device or to start  
8 and operate that vehicle in violation of a court order is guilty of a  
9 gross misdemeanor. The provisions of this ((~~section~~)) subsection do  
10 not apply if the starting of a motor vehicle, or the request to start  
11 a motor vehicle, equipped with an ignition interlock ((~~or other~~  
12 biological or technical)) device is done for the purpose of safety or  
13 mechanical repair of the device or the vehicle and the person subject  
14 to the court order does not operate the vehicle.

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