

HB 3254-S2.E - DIGEST

(DIGEST AS ENACTED)

Creates the ignition interlock device revolving fund to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device for indigent people who are required to install an ignition interlock device in all vehicles owned or operated by the person.

Provides that beginning January 1, 2009, any person licensed under chapter 46.20 RCW who is convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle in violation of RCW 46.61.502 or 46.61.504, other than vehicular homicide or vehicular assault, or who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, may submit to the department of licensing an application for an ignition interlock driver's license.

Creates a pilot program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

Requires a court to order any person convicted of a violation of RCW 46.61.502 or 46.61.504 to apply for an ignition interlock driver's license from the department of licensing and to have a functioning ignition interlock device installed on all motor vehicles operated by the person.

VETO MESSAGE ON E2SHB 3254

March 31, 2008

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington
Ladies and Gentlemen:

I am returning, without my approval as to Section 18, Engrossed Second Substitute House Bill 3254 entitled:

"AN ACT Relating to accountability for persons driving under the influence of intoxicating liquor or drugs."

Prevention of driving under the influence (DUI) collisions is a priority of my administration. The Ignition Interlock Driver's License will further our state's efforts to prevent DUI related fatalities on our roadways. The use of ignition interlocks has been proven to reduce future incidents of DUI among individuals who have been required to have the devices installed in their cars. However, I am concerned about potential unintended consequences of Section 18.

Section 18 allows first time offenders to receive a deferred prosecution, even if they are found not to have a drug or alcohol addiction. Current law only allows for deferred prosecution if a person is assessed to have a drug or alcohol addiction and agrees to receive treatment for their addiction.

This section presents a change in public policy, which may well promote public safety, but I believe further review is necessary before making this change. Therefore, I am vetoing this section and encourage stakeholders to consider the merits of this change over the interim. I am also directing the Division of Alcohol and Substance Abuse to review the current treatment assessment process to make sure we are getting accurate assessments. I also want them to determine if alternatives to treatment such as the one proposed in Section 18 might be a more cost-effective approach to public safety in certain instances involving first time DUI offenders.

For these reasons, I have vetoed Section 18 of Engrossed Second Substitute House Bill 3254.

With the exception of Section 18 of Engrossed Second Substitute House Bill 3254 is approved.

Respectfully submitted,
Christine Gregoire
Governor