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**Public Safety Committee**

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**HB 2344**

**Brief Description:** Concerning ignition interlock device requirements in vehicle sales.

**Sponsors:** Representatives Magendanz, Morrell, Klippert and Hayes.

**Brief Summary of Bill**

- Requires the Department of Licensing, upon receiving a request for a vehicle title change, to determine if the new vehicle owner is subject to ignition interlock (IID) requirements and to notify such owners of the penalty for failing to comply with the IID requirements.
- Provides that an attempt to circumvent the installation and use of an IID by purchasing or acquiring another vehicle (or multiple vehicles) is a gross misdemeanor offense.

**Hearing Date:** 2/4/14

**Staff:** Yvonne Walker (786-7841).

**Background:**

In addition to serving mandatory jail time, a Driving Under the Influence (DUI) offender is often subject to many other sanctions. These include: fines, loss of driving privileges, alcohol assessments, probation, community custody, and the mandatory use of an ignition interlock (IID) system on any vehicle the offender drives.

An IID is a breath alcohol analyzing ignition equipment or other biological or technical device designed to prevent a motor vehicle from being operated by a person who has consumed an alcoholic beverage. The time periods required for an IID varies and can range from 90 days to 10 years depending on the offense committed and the person's prior DUI history.

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If a person is restricted to driving only with an interlock device, it is a gross misdemeanor offense for that person to tamper with the device, or to request a third party to tamper with the device, in order to circumvent the device.

**Summary of Bill:**

Within 48 hours upon receiving a request for a new certificate of title or upon receiving a report of sale notice that a vehicle has been transferred or sold, the Department of Licensing (DOL) must determine if the new owner or secured party of the vehicle is subject to IID requirements. If the new owner or secured party is subject to IID requirements, the DOL must remind the person through written notification that he or she may only drive a vehicle equipped with a functioning IID and failing to comply with the IID requirements is punishable as a gross misdemeanor offense. Each notice must be sent by certified mail to the person's address of record as maintained by the DOL.

A person who is restricted to the use of only a vehicle equipped with an IID and who attempts to circumvent the installation and use of a device by purchasing or acquiring another vehicle (or multiple vehicles) is guilty of a gross misdemeanor offense.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.