
HOUSE BILL 1864

State of Washington

68th Legislature

2024 Regular Session

By Representatives Christian and Sandlin

Prefiled 12/04/23.

1 AN ACT Relating to limiting the monetary assistance an indigent
2 person may receive from the ignition interlock device revolving
3 account program; and amending RCW 46.20.385.

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

5 **Sec. 1.** RCW 46.20.385 and 2020 c 330 s 9 are each amended to
6 read as follows:

7 (1) (a) Any person licensed under this chapter or who has a valid
8 driver's license from another state, who is convicted of: (i) A
9 violation of RCW 46.61.502 or 46.61.504 or an equivalent local or
10 out-of-state statute or ordinance, or (ii) a violation of RCW
11 46.61.520(1) (a) or an equivalent local or out-of-state statute or
12 ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1)
13 (b) or (c) if the conviction is the result of a charge that was
14 originally filed as a violation of RCW 46.61.520(1) (a), or (iv) RCW
15 46.61.522(1) (b) or an equivalent local or out-of-state statute or
16 ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is
17 the result of a charge that was originally filed as a violation of
18 RCW 46.61.522(1) (b) committed while under the influence of
19 intoxicating liquor or any drug, or (vi) who has had or will have his
20 or her license suspended, revoked, or denied under RCW 46.20.3101, or
21 who is otherwise permitted under subsection (8) of this section, may

1 submit to the department an application for an ignition interlock
2 driver's license. The department, upon receipt of the prescribed fee
3 and upon determining that the petitioner is eligible to receive the
4 license, may issue an ignition interlock driver's license.

5 (b) A person may apply for an ignition interlock driver's license
6 anytime, including immediately after receiving the notices under RCW
7 46.20.308 or after his or her license is suspended, revoked, or
8 denied.

9 (c) An applicant under this subsection shall provide proof to the
10 satisfaction of the department that a functioning ignition interlock
11 device has been installed on all vehicles operated by the person.

12 (i) The department shall require the person to maintain the
13 device on all vehicles operated by the person and shall restrict the
14 person to operating only vehicles equipped with the device, for the
15 remainder of the period of suspension, revocation, or denial, unless
16 otherwise permitted under RCW 46.20.720(6).

17 (ii) Subject to any periodic renewal requirements established by
18 the department under this section and subject to any applicable
19 compliance requirements under this chapter or other law, an ignition
20 interlock driver's license granted upon a suspension or revocation
21 under RCW 46.61.5055 or 46.20.3101 extends through the remaining
22 portion of any concurrent or consecutive suspension or revocation
23 that may be imposed as the result of administrative action and
24 criminal conviction arising out of the same incident.

25 (2) An applicant for an ignition interlock driver's license who
26 qualifies under subsection (1) of this section is eligible to receive
27 a license only if the applicant files satisfactory proof of financial
28 responsibility under chapter 46.29 RCW.

29 (3) Upon receipt of evidence that a holder of an ignition
30 interlock driver's license granted under this subsection no longer
31 has a functioning ignition interlock device installed on all vehicles
32 operated by the driver, the director shall give written notice by
33 first-class mail to the driver that the ignition interlock driver's
34 license shall be canceled. If at any time before the cancellation
35 goes into effect the driver submits evidence that a functioning
36 ignition interlock device has been installed on all vehicles operated
37 by the driver, the cancellation shall be stayed. If the cancellation
38 becomes effective, the driver may obtain, at no additional charge, a
39 new ignition interlock driver's license upon submittal of evidence

1 that a functioning ignition interlock device has been installed on
2 all vehicles operated by the driver.

3 (4) A person aggrieved by the decision of the department on the
4 application for an ignition interlock driver's license may request a
5 hearing as provided by rule of the department.

6 (5) The director shall cancel an ignition interlock driver's
7 license after receiving notice that the holder thereof has been
8 convicted of operating a motor vehicle in violation of its
9 restrictions, no longer meets the eligibility requirements, or has
10 been convicted of or found to have committed a separate offense or
11 any other act or omission that under this chapter would warrant
12 suspension or revocation of a regular driver's license. The
13 department must give notice of the cancellation as provided under RCW
14 46.20.245. A person whose ignition interlock driver's license has
15 been canceled under this section may reapply for a new ignition
16 interlock driver's license if he or she is otherwise qualified under
17 this section and pays the fee required under RCW 46.20.380.

18 (6) (a) Unless costs are waived by the ignition interlock company
19 or the person is indigent under RCW 10.101.010, the applicant shall
20 pay the cost of installing, removing, and leasing the ignition
21 interlock device and shall pay an additional fee of (~~twenty-one~~
22 ~~dollars~~) \$21 per month. Payments shall be made directly to the
23 ignition interlock company. The company shall remit the additional
24 fee to the department, except that the company may retain (~~twenty-~~
25 ~~five~~) 25 cents per month of the additional fee to cover the expenses
26 associated with administering the fee.

27 (b) The department shall deposit the proceeds of the (~~twenty-one~~
28 ~~dollar~~) \$21 fee into the ignition interlock device revolving
29 account. Expenditures from the account may be used only to administer
30 and operate the ignition interlock device revolving account program.
31 The department shall adopt rules to provide monetary assistance
32 according to greatest need and when funds are available.

33 (c) The department shall adopt rules to limit the monetary
34 assistance an indigent person may receive from the ignition interlock
35 device revolving account program to assistance with the monetary
36 costs of installing, removing, and leasing an ignition interlock
37 device in one vehicle per person or, if more practicable, one vehicle
38 per household, and applicable licensing.

39 (7) The department shall adopt rules to implement ignition
40 interlock licensing. The department shall consult with the

1 administrative office of the courts, the state patrol, the Washington
2 association of sheriffs and police chiefs, ignition interlock
3 companies, and any other organization or entity the department deems
4 appropriate.

5 (8) (a) Any person licensed under this chapter who is convicted of
6 a violation of RCW 46.61.500 when the charge was originally filed as
7 a violation of RCW 46.61.502 or 46.61.504, or an equivalent local
8 ordinance, may submit to the department an application for an
9 ignition interlock driver's license under this section.

10 (b) A person who does not have any driver's license under this
11 chapter, but who would otherwise be eligible under this section to
12 apply for an ignition interlock license, may submit to the department
13 an application for an ignition interlock license. The department may
14 require the person to take any driver's licensing examination under
15 this chapter and may require the person to also apply and qualify for
16 a temporary restricted driver's license under RCW 46.20.391.

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