

IGNITION INTERLOCK PROGRAM TECHNICIAN RCW & WAC REVIEW



As a certified ignition interlock technician employed by a certified ignition interlock service center, you are required to know and comply with the following laws set forth in the Revised Code of Washington (RCW) and rules set forth in the Washington Administrative Code (WAC) governing ignition interlocks. Failure to know or follow these laws may result in a suspension or revocation of your certification, the service center's certification, and/or the ignition interlock device certification and may also result in criminal penalties.

Please review the following items and initial in the space provided acknowledging that you have reviewed and agree to comply with the requirements contained in the referenced statutes and rules. This is not a complete list of all applicable RCWs and WACs related to ignition interlock devices; however, it is provided to assist you in understanding many of the requirements.

RCW 46.20.720 Ignition Interlock Device Restriction

_____ An ignition interlock restriction imposed as a result of a conviction for DUI, a related charge, or a deferred prosecution shall remain in effect until the Department of Licensing (DOL) receives a declaration from a restricted operator's ignition interlock manufacturer that there have been none of the following incidents in the 180 consecutive days prior to the date of release:

- (1) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;
- (2) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;
- (3) Failure to pass any random retest with a breath alcohol concentration of 0.02 or lower unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.02, and the digital image confirms the same person provided both samples;
- (4) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device;
- (5) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington State Patrol; or
- (6) That the ignition interlock device was inspected at the conclusion of the one hundred eighty-day period by an ignition interlock technician certified by the Washington State Patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

_____ The time period during which a person must have an ignition interlock device installed shall apply on a day-for-day basis towards satisfying the period of time the ignition interlock device restriction is imposed.

RCW 46.20.750 Circumventing Ignition Interlock – Penalty

_____ A technician who knowingly assists a restricted operator to circumvent the ignition interlock device or to start and operate a vehicle without a fully functioning ignition interlock device may be charged with a gross misdemeanor. It is permissible for a certified interlock technician to start a motor vehicle equipped with an ignition interlock device by circumventing the device only for the purpose of safety or mechanical repair of the device; however, the person subject to the restriction must not operate the vehicle during that time.

RCW 46.61.673 Dangerously Distracted Driving

_____ Using an ignition interlock device while the vehicle is in motion may distract the user from driving safely and may be a violation of local or state distracted driving traffic laws. A technician should advise the restricted operator or any operator driving the vehicle that when an ignition interlock device requests a random test they must safely pull off the roadway and come to a complete stop prior to providing any breath sample.

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WAC 204-50-042 Service Center Certification and Inspection

_____ A current copy of the following items must be posted, plainly visible, and capable of being read by the public during schedule business hours:

- All fees and rates a lessee may be charged to install, remove, repair, or service an ignition interlock device;
- The service center's Washington State Patrol (WSP) certificate; and
- All active ignition interlock technician's WSP certificates who work at that service center.

_____ The designated waiting area must be separate and shielded from the installation area so a lessee or any other unauthorized person cannot witness installation or service of the interlock device. A technician must ensure that the installation, service, or removal of the ignition interlock device is not witnessed by the restricted operator, lessee, or other unauthorized person.

_____ The service center must have an area and equipment available for clients to view training videos.

_____ A representative from the Washington State Patrol (WSP) Impaired Driving Section must be allowed access anytime during scheduled business hours to conduct an inspection.

WAC 204-50-046 Ignition Interlock Technician Certification

_____ Technician certification needs to be renewed annually. All applications for renewal must be submitted at least 30 days prior to expiration.

_____ The certification of a technician who no longer meets all the requirements contained in the applicable RCWs and WACs may be suspended, revoked and/or denied.

WAC 204-50-080 Certified Ignition Interlock Device Maintenance, Calibration and Reports

_____ The calibration process of an ignition interlock device must include the following:

- (1) A three second purge must be expelled from the dry gas standard prior to any calibration;
- (2) An "as found" check prior to any adjustments and must be recorded on the data logger; and
- (3) **TWO** consecutive accuracy checks with the result of each individual check being within +/- 10% of the reference value. The time period from first accuracy check and a second accuracy check must not exceed five minutes.

_____ Any device that does not pass the calibration process must be removed from service and the serial number kept on record for three years. The unit may be placed back into service after repairs, which must also be documented and kept on file for three years.

_____ A service center using dry gas must meet the following criteria:

- Dry gas must be stored at a location where the temperature range remains between 50 and 104 degrees Fahrenheit;
- The certification of analysis (COA) document from the dry gas manufacturer must be retained and available upon request;
- An elevation chart or calibrated barometer must be used to determine the proper reference value of the dry gas; and
- All dry gas standards must be tamper-proof, securely stored, and have a label with the following details visible: lot or batch number, chemical components, concentration of the reference value, and preparation and/or expiration date that must not be more than three years from the date of preparation.

_____ **WET BATH.** Any service center/manufacturer who wishes to utilize an external wet bath standard for calibration in lieu of dry gas must obtain prior approval from the WSP Impaired Driving Section.

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_____ All data from an ignition interlock device must be downloaded during each service. Downloaded data must be reviewed and evidence of noncompliance, violations, or signs of tampering or circumvention must be reported to the WSP Impaired Driving Section within seven days.

WAC 204-50-090 Ignition Interlock Device Security

_____ A technician may not make any changes in the software configuration profile of any interlock device.

_____ A warning label stating the following must be affixed to all ignition interlock devices “Warning - This ignition interlock device has been installed under the law of the State of Washington. Attempts to disconnect, tamper with, or circumvent this ignition interlock device may subject you to criminal prosecution.”

_____ Technicians may not enable the use of any “emergency bypass” mechanism or any other “bypass” procedure on an ignition interlock device. Doing so may result in criminal prosecution.

WAC 204-50-100 Installation of Ignition Interlock Devices

_____ An Ignition interlock device can only be installed, serviced, or removed by a certified technician.

_____ A technician must thoroughly train a restricted operator on the proper use and functionality of an ignition interlock device. In addition, all restricted operators must complete training provided by the WSP Impaired Driving Section and manufacturer prior to using the ignition interlock device.

_____ An installation verification form must be completed and installation verification fee must be collected from the lessee by the service center or technician at the time of installation and must be recorded.

_____ If the restricted operator is not the registered owner of the installation vehicle, a letter of authorization must be obtained from the registered owner prior to installation.

_____ Before installing an ignition interlock device, a technician must record the full name, address, phone number, and driver’s license number of the restricted operator, the vehicle license number and the ignition interlock device serial number.

_____ A technician must inspect the vehicle prior to installation and not install an ignition interlock device if the vehicle is found to be in an unacceptable condition.

_____ A technician must take all steps necessary to prevent tampering or circumvention of a device. These include locks, seals, and installation procedures that prevent or record evidence of tampering and/or circumvention attempts. A technician must place all connections and associated wiring between an ignition interlock device and a vehicle in an area of the vehicle not immediately accessible or visible to the lessee or restricted operator. Also, a technician must cover with a unique and easily identifiable seal, epoxy, resin, shrink wrap, sheathing, or tamper-proof tape any portion of an ignition interlock device that can be disconnected; any wires used to install the ignition interlock device that are not inside a secured enclosure; and mark all points likely to be accessed when attempting to tamper with the ignition interlock device with other material unless the ignition interlock device is capable of recording such attempts to tamper with it.

_____ User manuals must be provided to the restricted operator in English and/or Spanish.

_____ Upon installation of a device, a technician must take a digital reference image of the restricted operator. The image must be accessible at the service center from a secure storage location for the duration of the installation.

WAC 204-50-110 Mandatory Requirements for an Ignition Interlock Device

_____ A technician must include at least two mouthpieces upon installation and an additional mouthpiece during every calibration.

_____ After a startup test, an ignition interlock device must require another sample within 10 minutes of starting the vehicle. After that, samples must be randomly requested every 10 to 45 minutes.

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_____ All ignition interlock devices must be programmed to prevent a vehicle from being started if the breath sample is 0.02 or above.

_____ The following incidents will activate a violation reset condition:

- (1) A random test failure (any breath test result at or above a 0.02);
- (2) The control head is disconnected after start up;
- (3) A random test is skipped/missed; and
- (4) The lessee failed to have the device serviced as required per the manufacturer.

_____ If a violation reset condition occurs, within five days the ignition interlock device must be calibrated, downloaded, and the wiring harness physically inspected by a certified technician at a mobile or fixed site service center. If the device is not serviced within the five-day period, the device must enter lockout mode.

_____ All ignition interlock devices must be installed with a digital camera and global positioning system (GPS). The camera and GPS components must be inspected at each service to ensure proper operation.

WAC 204-50-120 Additional Requirements

_____ When a complaint is received about a malfunctioning ignition interlock device by an ignition interlock technician, service center, or manufacturer, the repair or replacement of that device must be completed within 48 hours.

_____ An ignition interlock manufacturer must maintain a toll-free phone number for clients that is available 365 days per year and 24 hours a day.

_____ Under no circumstances will an ignition interlock manufacturer, service center, or technician knowingly permit a restricted driver to operate a vehicle without a fully functioning ignition interlock device. Immediate police response (911) should be requested for any restricted operator who refuses to comply.

WAC 204-50-130 Requirements for Removing an Ignition Interlock Device

_____ A technician may only remove a device they have been certified to service, unless prior approval from the WSP Impaired Driving Section has been obtained.

WAC 204-50-135 Fees

_____ A record of all fees collected must be maintained and provided to the manufacturer. The record must include the type of fee collected, name or driver's license number of the client, total amount paid, name and certification number of the vendor, service center, or technician who collected the payment.

I reviewed the RCW and WAC summary above, which I understand does not contain all of the laws governing Ignition Interlock Breath Alcohol Devices.

Were all your questions answered to your satisfaction? Yes No

Signature of Certified Ignition Interlock Technician

Certification Number

Date

Printed Name

WSP Impaired Driving Section Representative

Badge Number

Date