

RCW 36.28A.330 24/7 sobriety program definitions. The definitions in this section apply throughout RCW 36.28A.300 through 36.28A.390 unless the context clearly requires otherwise.

(1) "24/7 sobriety program" means a program in which a participant submits to testing of the participant's blood, breath, urine, or other bodily substance to determine the presence of alcohol or any drug as defined in RCW 46.61.540. Testing must take place at a location or locations designated by the participating agency, or, with the concurrence of the Washington association of sheriffs and police chiefs, by an alternate method.

(2) "Participant" means a person who has been charged with or convicted of a violation of RCW 46.61.502, 46.61.504, or those crimes listed in RCW 46.61.5055(14), in which the use of alcohol or drugs as defined in RCW 46.61.540 was a contributing factor in the commission of the crime and who has been ordered by a court to participate in the 24/7 sobriety program.

(3) "Participating agency" means any entity located in the state of Washington that has a written agreement with the Washington association of sheriffs and police chiefs to participate in the 24/7 sobriety program, and includes, but is not limited to, a sheriff, a police chief, any other local, regional, or state corrections or probation entity, and any other entity designated by a sheriff, police chief, or any other local, regional, or state corrections or probation entity to perform testing in the 24/7 sobriety program.

(4) "Participation agreement" means a written document executed by a participant agreeing to participate in the 24/7 sobriety program in a form approved by the Washington association of sheriffs and police chiefs that contains the following information:

- (a) The type, frequency, and time period of testing;
- (b) The location of testing;
- (c) The fees and payment procedures required for testing; and
- (d) The responsibilities and obligations of the participant under the 24/7 sobriety program. [2015 2nd sp.s. c 3 s 17; 2013 2nd sp.s. c 35 s 26.]

Finding—Intent—2015 2nd sp.s. c 3: See note following RCW 10.21.055.