

**WAC 204-50-046 Ignition interlock technician certification.** (1) **The chief or designee will have the authority to issue a letter of certification for an ignition interlock technician.** An application must be approved and letter of certification issued by the impaired driving section before an ignition interlock technician may repair, install, remove, or service a certified ignition interlock device pursuant to this chapter.

(2) **Application for letter of certification for an ignition interlock technician.**

(a) A manufacturer must submit an application to the impaired driving section for a letter of certification for each ignition interlock technician employed at a fixed or mobile service center and pay all applicable fees to the state of Washington. A manufacturer may approve a vendor to submit an application for an ignition interlock technician on a case-by-case basis.

(b) In order to receive a letter of certification for an ignition interlock technician, the applicant shall:

(i) Complete the application form provided by the impaired driving section.

(ii) Have its employee complete the knowledge and skills examination administered by the impaired driving section. An applicant's employee must score eighty percent or higher on the knowledge and skills examination to be eligible for a letter of certification.

(iii) Submit, at the expense of the manufacturer, service center, vendor or applicant, a criminal history report conducted within the preceding thirty days of the date on the application. The criminal history report shall be attained from either the patrol's identification and criminal history section if the employee has lived in Washington for five years immediately preceding the date of the application or, a criminal background check from the agency responsible for keeping criminal history in the state or states of the previous residence of an employee who has not lived in Washington for the five years immediately preceding the date of application.

(c) The chief or designee will refuse to issue or may revoke a letter of certification for the ignition interlock technician if the ignition interlock technician:

(i) Has been convicted of:

(A) Any alcohol related traffic offense within the last three years;

(B) A DUI, as defined in chapter 46.61 RCW, two or more times within the last five years;

(C) Any offense classified as a class B or C felony within the five years prior to the date of the applicant filing an application for certification as an ignition interlock technician;

(D) Any class A felony or any "sex offense" as defined in RCW 9.94A.030, regardless of the date of conviction; or

(E) Any gross misdemeanor within the last three years.

(ii) The chief or designee may refuse to issue or may revoke a letter of certification for the ignition interlock technician if the ignition interlock technician has been convicted of:

(A) Any misdemeanor within the last year; or

(B) Has demonstrated a willful disregard for complying with ordinances, statutes, administrative rules or court orders, whether at the local, state or federal level;

(iii) Fails to demonstrate character and general fitness sufficient to command the confidence of the impaired driving section and warrant a belief that the duties of a technician will be conducted

honestly, fairly and efficiently in the conduct of ignition interlock service. In determining character and general fitness, the impaired driving section may consider:

- (A) Prior contacts with law enforcement;
- (B) Criminal record;
- (C) Reputation in the community;
- (D) Associations; and
- (E) Current driver's license status and abstract driving record.

(iv) Has been granted a deferred prosecution under chapter 10.05 RCW for an alcohol related traffic offense within the last three years.

(v) Is not at least eighteen years of age.

(vi) Does not possess a valid Washington driver's license if:

(A) The ignition interlock technician is employed by a service center that provides a mobile service center; or

(B) The ignition interlock technician must operate a lessee's vehicle to provide services in accordance with this chapter.

(d) The term "conviction" as used in this section will have the same meaning as used in chapter 9.94A RCW.

**(3) Issuance of letter of certification for an ignition interlock technician.**

(a) The chief or designee will have the authority to issue a letter of certification for an ignition interlock technician if an application has been approved and all qualifications set out in this chapter have been met by the applicant.

(b) A letter of certification for an ignition interlock technician will be effective the date stated in the letter and contain a certification number specific to the ignition interlock technician.

(c) A letter of certification for an ignition interlock technician will be valid for one year or until suspended, superseded, or revoked by the impaired driving section.

(d) A letter of certification for an ignition interlock technician will be subject to review by the impaired driving section at its discretion during the course of the certification period.

(e) The chief or designee will deny an application for a letter of certification for an ignition interlock technician if all qualifications are not met by the applicant, and it will notify the manufacturer and vendor, if submitted for approval by the vendor with approval of the manufacturer, within ten days of such determination.

(f) The chief or designee will notify the manufacturer in writing if an application for letter of certification has been denied. The notice of denial will be sent to the applicant via certified mail, return receipt requested.

**(4) Renewal of a letter of certification for an ignition interlock technician.**

(a) A letter of certification for an ignition interlock technician certification must be renewed and all applicable fees paid on an annual basis.

(b) An application to renew a letter of certification for an ignition interlock technician must be submitted to the impaired driving section at least thirty days prior to the expiration of the certification.

(c) An incomplete or untimely application may result in the expiration of a letter of certification for an ignition interlock technician. If a letter of certification for an ignition interlock technician expires, the ignition interlock technician identified in the expired letter of certification shall immediately stop working as an ig-

inition interlock technician until a new letter of certification is issued by the chief or designee.

(d) Renewal of a letter of certification for an ignition interlock technician will be the same as the process outlined in this section, except the submission of a criminal history report may be submitted by the ignition interlock technician.

(e) If there is pending action against an ignition interlock technician for any violation of the rules outlined in this chapter, an application for the renewal of a letter of certification will not be processed until the pending action has reached a final resolution.

(f) The chief or designee will notify the manufacturer and vendor, if submitted for approval by the vendor with approval of the manufacturer, in writing if renewal of a letter of certification has been denied. The notice of nonrenewal will be sent to the certificate holder via certified mail, return receipt requested.

**(5) Surrender of a letter of certification for an ignition interlock technician.**

(a) An ignition interlock technician letter of certification may be surrendered upon written request from the vendor, manufacturer, or an ignition interlock technician or if the impaired driving section receives written notification that the ignition interlock technician is no longer certified by the same manufacturer under which the current ignition interlock technician certification was issued.

(b) The original letter of certification must be returned to the impaired driving section. If the original certification is not provided with the written notification the impaired driving section will instruct an inspector to obtain the original certification.

**(6) Suspension or revocation of a letter of certification for an ignition interlock technician.**

(a) The chief or designee may suspend or revoke certification of an ignition interlock technician who no longer meets all of the requirements outlined under the Revised Code of Washington or this chapter.

(b) The chief or designee will notify the ignition interlock technician, manufacturer and vendor in writing if a letter of certification has been suspended or revoked. The notice of suspension or revocation will be sent to the certificate holder via certified mail, return receipt requested.

(c) During a period of suspension of a letter of certification for an ignition interlock technician, the suspended ignition interlock technician shall cease any and all activities related to the repair, installation, removal, or service of a certified ignition interlock device in the state of Washington.

(d) If a letter of certification for an ignition interlock technician is suspended or revoked the ignition interlock technician shall, on demand, surrender the certification and return it to the impaired driving section.

[Statutory Authority: RCW 43.43.395, 46.37.005, and 46.04.215. WSR 12-17-153, § 204-50-046, filed 8/22/12, effective 10/1/12; WSR 10-24-074, § 204-50-046, filed 11/30/10, effective 1/1/11.]