

WAC 204-50-030 Definitions. The definitions in this section apply throughout this chapter:

(1) "Alcohol" means the unique chemical compound ethyl alcohol or ethanol.

(2) "Breath alcohol concentration" or "BrAC" has the same meaning as in RCW 46.04.015(1).

(3) "Certification" means the testing and approval process required by RCW 43.43.395 and chapter 204-50 WAC.

(4) "Chief" means the chief of the Washington state patrol.

(5) "Circumvent" or "circumvention" means the attempted or successful bypass of the proper functioning of an ignition interlock device by any means including, but not limited to:

(a) The operation of a vehicle without a properly functioning ignition interlock device;

(b) The push start of a vehicle with an ignition interlock device;

(c) The alteration or disconnection of any part of the ignition interlock device including the control head while the vehicle is in operation;

(d) The intentional introduction of an air sample that is altered, diluted, contaminated, stored, or filtered, or that is obtained from an air compressor, hot air dryer, balloon, manual air pump, or other mechanic device, to start or continue to operate a vehicle;

(e) The intentional introduction of an air sample from an individual who is not the driver of the vehicle to start or continue to operate the vehicle;

(f) The intentional disruption or blocking of a digital image identification device or global positioning system;

(g) The continued operation of the interlock equipped vehicle after the ignition interlock device detects a BrAC equal to or higher than the alcohol set point.

(6) "Court" or "originating court" means the particular court, if any, that has required the use of an ignition interlock device by a particular individual or has responsibility for the pretrial or post-conviction supervision of an individual required to use or using the ignition interlock device.

(7) "Designee" means a person designated by the chief of the Washington state patrol.

(8) "DOL" means the Washington state department of licensing.

(9) "Fee" means a nonrefundable administrative fee set by schedule and paid to the patrol by the manufacturer through electronic funds transfer.

(10) "Ignition interlock device" means the same as that term is defined in RCW 46.04.215.

(11) "Ignition interlock technician" or "technician" means a person employed by the ignition interlock device manufacturer, vendor or service center and certified by the impaired driving section to install, service, calibrate, remove and monitor certified ignition interlock devices in Washington state.

(12) "Impaired driving section" means the section of the Washington state patrol that has been designated by the chief to coordinate and regulate ignition interlock devices, service centers and technicians.

(13) "Lessee" means a person who has entered into an agreement with a manufacturer, vendor, or service center to lease an ignition interlock device.

(14) "Letter of certification" or "certificate" means a letter issued by the Washington state patrol that authorizes:

(a) A manufacturer's ignition interlock device to be installed and used in Washington state as provided in this chapter;

(b) An ignition interlock technician to install, service, calibrate, remove and monitor certified ignition interlock devices in Washington state; or

(c) A service center to service, install, monitor, and calibrate ignition interlock devices currently certified in Washington state.

(15) "Lockout" means a period of time where the ignition interlock device will not allow a breath sample to be delivered or a vehicle's engine to be started.

(16) "Manufacturer" means a person, company, or corporation that produces an ignition interlock device.

(17) "OAC" means the administrative office of the courts.

(18) "Patrol" means the Washington state patrol as that term is defined in RCW 43.43.010.

(19) "Restricted operator" means a person whose driving privileges are restricted by court order or the department of licensing to operating only motor vehicles equipped with a functioning certified ignition interlock device.

(20) "Service center" is the same as service provider as referenced in RCW 43.43.395 and means a location certified by the impaired driving section to service, install, monitor, remove and calibrate certified ignition interlock devices in Washington state.

(21) "Tamper" or "tampering" means any act or attempt to disable or circumvent the legal operation of an ignition interlock device.

(22) "Vendor" means an impaired driving section approved company, business, or distributor who is contracted by a manufacturer to manage a service center, a technician, or both.

(23) "Violation reset" means a feature of the ignition interlock device that activates a service reminder due to a violation.

(24) "Wet bath simulator" means a device that provides a vapor sample of a known alcohol concentration when filled with a certified alcohol and water solution and maintained at a specific temperature.

[Statutory Authority: RCW 43.43.395, 46.37.005, and 46.04.215. WSR 22-01-068, § 204-50-030, filed 12/9/21, effective 1/9/22; WSR 12-17-153, § 204-50-030, filed 8/22/12, effective 10/1/12; WSR 10-24-074, § 204-50-030, filed 11/30/10, effective 1/1/11. Statutory Authority: RCW 46.37.005 and 46.04.215. WSR 09-18-073, § 204-50-030, filed 8/31/09, effective 10/1/09. Statutory Authority: RCW 46.61.688(2). WSR 05-17-065, § 204-50-030, filed 8/11/05, effective 9/11/05. Statutory Authority: RCW 46.04.215 and 46.37.005. WSR 99-01-156, § 204-50-030, filed 12/23/98, effective 1/1/99. Statutory Authority: 1987 c 247. WSR 88-01-020 (Order 87-05-ESR), § 204-50-030, filed 12/9/87.]