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**SENATE BILL 5791**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Padden and Lias

Prefiled 12/04/23.

1 AN ACT Relating to the evaluation of the effectiveness of oral  
2 fluid roadside information in the enforcement of driving under the  
3 influence laws; creating a new section; and providing an expiration  
4 date.

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

6 NEW SECTION. **Sec. 1.** (1) The Washington state patrol shall  
7 establish a pilot program to evaluate the outcomes and effectiveness  
8 of oral fluid roadside information used as part of the enforcement of  
9 driving under the influence laws. The state patrol must select a  
10 minimum of 10 locations to implement the pilot program as part of the  
11 field sobriety evaluation used in the investigation of suspected  
12 violations of driving under the influence laws. Pilot program  
13 locations must be initiated by March 1, 2025. The state patrol must  
14 establish specific requirements for pilot program locations  
15 including, but not limited to:

16 (a) Selection of the most valid and reliable oral fluid test  
17 instrument to be used;

18 (b) Training for the law enforcement officers allowed to  
19 administer the test; and

20 (c) Required measures to protect personally identifying  
21 information and test results.

1           (2) By June 30, 2026, the Washington state patrol must submit a  
2 report detailing the results of the pilot program to the appropriate  
3 policy and fiscal committees of the legislature.

4           (3) This section expires January 1, 2027.

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