

HCS#2 HB 1423 -- ALCOHOL-RELATED TRAFFIC OFFENSES (St. Onge)

COMMITTEE OF ORIGIN: Committee on Transportation

This substitute specifies that anyone who has had his or her license and driving privilege suspended or revoked for a second or subsequent alcohol-related traffic offense cannot obtain a restricted driving privilege until the person has completed 30 days of a suspension and has filed proof with the Director of the Department of Revenue that his or her motor vehicle is equipped with a functioning, certified ignition interlock device as a required condition of the person's restricted driving privilege. The ignition interlock device must be maintained on all motor vehicles operated by the person for a period of at least six months following the date of reinstatement. If the person fails to maintain the proof, the restricted driving privilege will be terminated and the person will be guilty of a class A misdemeanor. Any person who has had his or her driving privilege revoked must also file proof of financial responsibility prior to reinstatement.

The substitute requires that a plea of guilty or a finding of guilty followed by a fine, incarceration, a suspended imposition of sentence, suspended execution of sentence, probation or parole, or any combination thereof in any intoxication-related traffic offense in a state, county, or municipal court, or any combination thereof, must be treated as a prior plea of guilty or finding of guilty when determining if a person is a prior, persistent, aggravated, or chronic offender.

The provisions of the substitute regarding the ignition interlock devices become effective July 1, 2009.

The substitute contains an emergency clause on the provisions regarding a prior plea to an intoxication-related traffic offense.

FISCAL NOTE: No impact on General Revenue Fund in FY 2009, FY 2010, and FY 2011. Estimated Cost on Other State Funds of \$48,000 in FY 2009, \$0 in FY 2010, and \$0 in FY 2011.