

HCS HB 1176 -- INTOXICATION-RELATED OFFENSES

SPONSOR: Jones

COMMITTEE ACTIONS: Voted "Do Pass" by the Standing Committee on Civil and Criminal Proceedings by a vote of 12 to 0. Voted "Do Pass with HCS by the Select Committee on Judiciary by a vote of 10 to 0.

Beginning January 1, 2017, this bill changes the laws regarding intoxication-related offenses. In its main provisions, the bill:

(1) Allows the Department of Revenue to extend the period a motorist is required to maintain the ignition interlock device on his or her vehicle by three months if the ignition interlock device detects an attempt to tamper with the device or detects an alcohol concentration above the set point within the last three months of the required installation period. The time must be extended until he or she has gone three months without any violations;

(2) Expands the list of offenses that allows an individual to receive limited driving privileges provided the he or she has an ignition interlock device installed;

(3) Removes the mandatory suspension period for alcohol related offenses but requires that an individual must have an ignition interlock device installed on his or her vehicle. Currently, except for a first time DWI offense, alcohol related driving offenses require a certain period of suspension before an individual is eligible for limited or restricted driving privileges;

(4) Removes the requirement that DWI courts cannot grant limited driving privileges to a participant for the first 45 days of participation;

(5) Defines "continuous alcohol monitoring" as automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour and regularly transmitting the data; and

(6) Authorizes the court to order the defendant to submit to continuous alcohol monitoring for any DWI, driving with an excessive BAC, boating while intoxicated, and boating with an excessive BAC case.

PROPONENTS: Supporters say that current license suspensions are difficult to enforce because people drive without a valid license. Ignition interlock devices provide monitoring and prevent people

from drinking and driving at all times of the day and night.

Testifying for the bill were Representative Jones and Michael Boland, Mothers Against Drunk Drivers.

OPPONENTS: There was no opposition voiced to the committee.