

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 712
Version:	HASB
Author:	Sen. David
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Bill Analysis

SB 712 modifies driver license revocation procedures. A person under the age of twenty-one with any alcohol in his or her system or a person with a blood or breath alcohol concentration of 0.08 or more shall have his or her license revoked for a minimum amount of time, but shall have the option to enter the Impaired Driver Accountability Program in lieu of revocation. The fee for entering the program is currently set at \$200.00. The measure also provides for the result of a test to be admissible in all civil actions, including administrative hearings regarding driving privileges.

The measure decreases the time period for the first revocation from one year to 180 days and may be modified upon request provided the license in question is a Class D driver license. Any person requesting a sentence modification must submit the request within thirty days after notice of revocation has been served. Persons requesting a sentence modification must install an ignition interlock device for a period of no less than 180 days on the first offense.

The measure also decreases the period of time for a person convicted on a second, similar offense from two years to one year. A person may request the suspension to be modified, but shall be required to install an ignition interlock device. A person convicted a third time shall receive a longer suspension period, increased from two years to three years, but the person may request a modified sentence provided he or she installs an ignition interlock device for a period of no less than three years.

A person is subject to suspension if the Department of Public Safety notes a prior revocation and completion of the Impaired Driver Accountability Program on the driver's record. The Department of Public Safety may extend the period of ignition interlock if a person attempts to operate the vehicle while under the influence. The measure creates procedures to refer defendants to a licensed physician for further evaluation and a possible prescription related to medication-assisted treatment for alcohol or opioid dependence.

House Amendments

House Amendments to SB 712 adds language authorizing the results of a blood-alcohol or breathalyzer test to be used in civil and administrative hearings. The amended measure also corrects various statutory citations and scrivener's errors.

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