

**Bill Summary**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 712</b>
<b>Version:</b>	<b>INT</b>
<b>Request No.:</b>	<b>400</b>
<b>Author:</b>	<b>Sen. David</b>
<b>Date:</b>	<b>01/28/2019</b>

**Bill Analysis**

SB 712 requires the driving privileges of a person who refused to submit to tests or for a person convicted of driving under the influence to be revoked. 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 shall have their license suspended for a minimum amount of time unless they participate in the Impaired Driver Accountability Program. Appeal hearings shall be conducted in district courts.

The measure decreases the time 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. The measure strikes the requirement for a person requesting a modified sentence to use an ignition interlock device for first time offenders.

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 they install an ignition interlock device for a period of no less than three years. The installation and maintenance fee will be no more than \$25.00 per month. 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 Department and the courts are prohibited from granting hardship exemptions to license suspension. The measure also strikes language authorizing revocation hearings under the Department of Public Safety.

The measure reestablishes the Impaired Driver Accountability Program under the Department. Participation in the program will be voluntary. The fee for entering the program will be \$200.00. The measure sets forth minimum participation times based upon the number of times a person was convicted of driving under the influence. Up to \$250,000.00 of all fees collected each month will be deposited with the Department. Funds collected in excess will be deposited in the General Revenue Fund.

Prepared by: Kalen Taylor

**Fiscal Analysis**

FY'20 Impact: None

Full Year Impact: None

Prepared by: Fiscal Staff