

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Dingfelder, Kruse, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	3/8, 4/21

WHAT THE MEASURE DOES: Extends suspension of driving privileges beyond the end of suspension period if a person fails to submit proof of installation of a required ignition interlock device.

ISSUES DISCUSSED:

- Non-enforcement of existing ignition interlock requirement for individuals convicted of driving under the influence of intoxicants (DUII)
- Rate of non-compliance with license suspensions
- Level of public support for a mandatory ignition interlock program for individuals convicted of DUII

EFFECT OF COMMITTEE AMENDMENT: Replaces the bill.

BACKGROUND: ORS 813.602 requires that an ignition interlock device be installed and used in any vehicle operated by a person who has been convicted of DUII. An ignition interlock is currently required to be present and functional in any vehicle operated by the offender for one year for first time offenders and two years for subsequent offenders. If the court determines that approved ignition interlock devices are reasonably available, the court may require an individual participating in a diversion agreement to install an interlock device as a term of the diversion. Courts are not currently permitted to exercise authority under this subsection during any period the courts have notice from the Office of Economic Analysis of the Oregon Department of Administrative Services that there are not sufficient moneys in the Intoxicated Driver Program Fund to pay for indigent defendants. A person who fails to provide proof of the installation of an ignition interlock device upon the termination of the suspension or revocation resulting from a conviction for DUII will have driving privileges suspended until the department receives proof of the installation or one year after the ending date of the suspension resulting from the first conviction for a first time offender or two years for a second time offender, whichever is first.

Senate Bill 504 A modifies this requirement by requiring that a person who fails to provide proof of the installation of an ignition interlock device upon the termination of the suspension or revocation resulting from a conviction for DUII will have driving privileges suspended until the department receives proof that an ignition interlock device has been installed. There is no statutory limit to the duration of this suspension. Any person who fails to install an ignition interlock device as ordered shall make up each day the device is not installed to meet the required amount of time for the installation. A person who tampers with an ignition interlock device will likewise be required to make up the time during which the device was not functional.

4/29/2011 10:32:00 AM

This summary has not been adopted or officially endorsed by action of the committee.