



# Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Director's Office  
355 Capitol St. NE  
Salem, OR 97301

**DATE:** February 4, 2013  
**TO:** House Judiciary Committee  
**FROM:** Amy Joyce, Legislative Liaison  
**SUBJECT:** HB 2117 with amendments, Ignition Interlock Devices

## INTRODUCTION

Several bills before you today are products of an interim work group on Driving Under the Influence of Intoxicants (DUII). House Bill 2117 would close a loophole in current law that allows some DUII offenders to avoid the requirement of using an ignition interlock device. With proposed amendments, the bill also would extend more oversight of the devices and the people who install and service them. The Department understands the bill to be a work-in-progress by workgroup members and stakeholders.

## DISCUSSION

Base Bill: Ignition Interlock Devices (IIDs) are required to be installed in a person's vehicle for one year, two years, or five years after conviction for Driving Under the Influence of Intoxicants (DUII) and completion duration of the driver license suspension. As currently constructed, the law allows a person to simply wait out the period of time after suspension during which the offender should have an IID installed, serving that time as a continued suspension. At the conclusion of that time the person is eligible to reinstate the driver license without ever installing an IID. The bill closes that loophole by requiring that the person install the IID for a full year; DMV cannot reinstate full driving privileges until the person proves one year of installation. DMV would change its computer systems and processes to enforce this change.

Proposed Amendments: Amendments are expected that would make two substantive changes impacting the Department. First, the -1 amendment would provide significantly more oversight of the devices that are approved for use in Oregon and the service centers and people who work on the devices (install, maintain, download data, etc.). Under current law very little oversight exists. The amendment will describe areas of oversight and basic provisions, and would have the Department write rules with more specific standards for oversight. Presumably the Department would also be enforcing those rules. The Department understands its designation in the amendment to be, like the amendment itself, a work in progress.

Second, the requirement for IID installation would be based on the date of the device's installation rather than calculating 365 total days of installation. The change significantly reduces the fiscal impact of the bill, while still requiring IID installation for some period of time.

## CONCLUSION

Several bills before you today are the product of an interim work group on issues in the DUII system. This bill targets a strengthened ignition interlock device program in Oregon. Its specific provisions continue to be discussed by the workgroup members.