

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 1
Yeas:	Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	Barton
Prepared By:	Mike Schmidt, Counsel
Meeting Dates:	2/4, 2/25

WHAT THE MEASURE DOES: Takes monitoring authority from Department of Motor Vehicles (DMV) and authorizes a circuit court to determine whether defendant satisfied treatment order of court. Prohibits DMV from reinstating driving privileges unless: 1) The person has provided proof of completing a treatment program; 2) The person has a court order that the person has taken sufficient steps to complete treatment; or, 3) Fifteen years have elapsed since date of person's conviction. Directs court to notify DMV of restrictions, or removal of restrictions. Allows person to file motion with circuit court to show that the person has taken sufficient steps to complete treatment and allows district attorney to object.

ISSUES DISCUSSED:

- DMV administrative suspension versus court suspension of driving privileges

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: DMV had been checking to make sure that people complete treatment before DMV would re-instate their driving privileges. It later became apparent that DMV may not have any such authority. In the 2012 session, House Bill 4011 was passed that gave DMV authority to require proof of treatment, with a sunset provision of January 2, 2014. This bill would designate the courts as the entity that would make the determination of whether or not the person's treatment requirements were satisfied, and then would pass notice along to DMV.