

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 5 - 0 - 0
Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski
Nays: 0
Exc.: 0
Prepared By: Mike Schmidt, Counsel
Meeting Dates: 5/14

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 the date of the 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:

- The courts are better situated to judge if treatment requirements have been completed than DMV

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: DMV had been checking to make sure that a person completed treatment before DMV would reinstate their driving privileges. It then became apparent that DMV may not have any such authority. In the 2012 session House Bill 4011 was passed giving DMV authority to require proof of treatment, with a sunset provision of January 2, 2014. House Bill 2121 A 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.