

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	6 - 2 - 1
Yeas:	Barton, Cameron, Krieger, Lininger, Tomei, Barker
Nays:	Hicks, Williamson
Exc.:	Olson
Prepared By:	Channa Newell, Counsel
Meeting Dates:	2/10, 2/11

WHAT THE MEASURE DOES: Requires provider of ignition interlock device installed as condition of driving under the influence of intoxicants diversion agreement to download all reports recorded to device and notify appropriate entity of any negative reports. Requires provider to give notification of device installation within seven business days of installation. Directs provider to download all reports from device when provider has access and to notify agency or organization that conducted person's assessment within seven days of download. Specifies agency will provide notice of negative report to person, person's counsel of record, prosecuting attorney, court, and person's treatment provider. Defines "negative report" to include report of tampering, unauthorized removal of device, lockouts, or test violations. Specifies situations in which court may order person to install device that uses cameras or other devices to recognize person. Requires Department of Transportation to adopt rules on specific requirements for interlock devices and to publish list of devices meeting requirements.

ISSUES DISCUSSED:

- History of driving under the influence of intoxicants (DUII) work group
- Prior legislation on ignition interlock devices
- Evolution of technology in interlock devices
- Costs and reliability of interlock devices
- Effects of amendments

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: Oregon allows some persons who have been charged with driving under the influence of intoxicants (DUII) to undergo a diversion program. Successful completion of the program may result in the DUII charge being dismissed. In order to complete a diversion program, a person must pay the required fees, complete a drug and alcohol assessment and treatment program, attend a victim impact panel, refrain from using any drugs or alcohol during the diversion program, and install an ignition interlock device on all vehicles the person may operate during the diversion program term.

House Bill 4026-A requires the provider of an ignition interlock device to download the reports stored on the device and to report any negative reports to the treatment provider, court, attorneys, and the person in the diversion program. Further, the measure allows courts to order that a person install a device capable of identifying the user and requires the Department of Transportation to develop rules around specific devices that can be used in Oregon diversion programs.