

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Judiciary

REVENUE: No revenue impact**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Jeff Rhoades, Counsel**Meeting Dates:** 2/18

WHAT THE MEASURE DOES: Requires provider of ignition interlock device (IID) to notify court of downloaded negative report within seven business days of receiving report. Requires provider to download all reports recorded on IID each time provider has access. Permits court to mandate installation of IID equipped with camera or similar technology if court does not terminate diversion agreement following negative report. Increases fees for driving under the influence of intoxicants (DUII) diagnostic assessment and screening interview from \$150 to \$275. Restructures code sections pertaining to IID.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

BACKGROUND: ORS 813.602 mandates that all persons convicted of DUII install and use an approved IID in any vehicle they operate. The period the IID is required is dependent upon the person's number of DUII convictions. ORS 813.602 establishes the fee structure for IID installation, as well as the policy and procedure for establishing indigence. Those with a qualifying medical condition may be eligible for an exemption for IID installation. Lastly, the statute requires IID installation for those persons participating in DUII diversion.

Senate Bill 398 restructures portions of the code pertaining to IID installation and usage. It clarifies the procedures for what occurs in the event of a negative report from the provider. It requires that the provider who installed the device download all reports at any point when they have access to the device. The provider is then responsible for providing the negative report to the court within seven business days. SB 398 additionally allows the court to mandate installation of an IID equipped with a camera or similar technology if the court does not terminate diversion following the receipt of a negative report from the provider. The bill additionally increases the fees for diagnostic assessment and screening interviews undergone by persons convicted of DUII or entering into diversion.

2/16/2015 1:32:00 PM 2/16/2015 1:01:00 PM **This summary has not been adopted or officially endorsed by action of the committee.*