

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:**

Action:**Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Jeff Rhoades, Counsel**Meeting Dates:** 3/12

WHAT THE MEASURE DOES: States that person who is required to install ignition interlock device (IID) must apply for replacement driver license or driver permit that notes IID requirement. Provides that applicant must pay fee required for replacement driver license. Allows person to apply for license with notation removed when IID no longer required. Becomes effective January 1, 2017.

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

BACKGROUND: ORS 813.602 currently requires that all persons participating in a DUII diversion install an IID to lawfully drive a motor vehicle. Failure to comply with this requirement constitutes a Class A traffic violation. Courts have the power to exempt a person from this requirement under a medical exception. The rules and guidelines for such an exemption are promulgated by the Department of Transportation.

There is currently no requirement that a person required to install an IID apply for and obtain a new license. This can create problems for police officers conducted traffic stops on persons who have the requirement. Specifically, information in the driving record concerning IID mandates may be difficult to locate for officers on the side of the road. Therefore, individuals who should have IIDs installed may not be held accountable for a failure to do so. Senate Bill 400 would create a new license meant to assist officers in making this determination quickly and efficiently.