



Oregon

Kate Brown, Governor

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DATE: March 12, 2015

TO: Senate Committee on Judiciary

FROM: Amy Joyce, Legislative Liaison

SUBJECT: SB 512, six months ignition interlock compliance

INTRODUCTION

This bill changes the ignition interlock requirement for repeat DUII offenders to add certification of six months of compliance. The bill effectively creates a non-specific ending date of the interlock requirement. DMV will need to complete significant systems changes to properly identify offenders' status on their records.

DISCUSSION

A repeat DUII offender who reaches the end of the three-year driver license suspension is required by law to install an ignition interlock device (IID) for two or five years, depending on the person's criminal history. Under current law if a person does not install the IID, the license remains suspended during that two- or five year period. Then the suspension for failure to install an IID is lifted and, barring any other hold on the record, the person is eligible to reinstate driving privileges. Under the terms of SB 512, the person must also present a certificate from the IID vendor showing six months without a negative report. Without the certificate the license remains suspended after the two or five years run.

In effect the bill creates a nonspecific ending date for the suspension. This will require DMV to update its systems from the current method of automatically calculating the end date of the suspension, to a new indefinite suspension. This will have a significant fiscal impact and requires DMV to redirect information technology resources away from critical efforts.

The department also notes that the language under Section 5 dealing with two- and five-year suspensions for failure to install the interlock, or subsequent tampering, appears to be superseded by the certification requirement in Section 2. As drafted the department would enforce the certificate requirement and nonspecific ending date, and not automatically lift the suspension.

SUMMARY

DMV would need to change its systems to accurately record the ignition interlock suspensions as modified by SB 512.