



Oregon

Kate Brown, Governor

Governor's Advisory Committee on DUII

Transportation Safety Division, MS #3

4040 Fairview Industrial Drive SE

Salem, OR 97302-1142

Phone: (503) 986-4190

Fax: (503) 986-3143

DATE: April 16, 2015

TO: House Judiciary Committee

FROM: Teresa Douglas, Governor's Advisory Committee on DUII
Alcohol and Drug Evaluation Specialist

SUBJECT: House Bill 3233

Introduction:

House Bill 3233 allows a felony DUII with a lifetime license revocation, which includes a 10 year minimum without any license, to apply for a hardship permit after five years, if they install an Ignition Interlock Device for the remainder of their revocation.

Background:

Felony DUII convictions require lifetime revocation of driving privileges, with no ability to obtain any license for 10 years and only if certain conditions are met.

What the Bill Does:

This bill will allow convicted felon DUII offenders to obtain a hardship permit after only five years of a lifetime revocation, if they install an Ignition Interlock Device.

Summary:

Felony DUII offenders are repeat offenders who have received at least four DUII charges. Usually the first DUII is a Diversion and then three additional DUII convictions to qualify for a felony. Lifetime driver's license revocation is reserved for these repeat offenders. While there is an opportunity to obtain a provisional license after 10 years, the person must meet certain qualifications. This bill will weaken the accountability of repeat intoxicated driving and lessen the penalty for these offenders. Keep in mind that these offenders have had the opportunity to benefit from treatment, usually more than one time. These offenders have also been subject to previous license suspensions, hardship permits and Ignition Interlock Device requirements. In my 30 years of working with DUII offenders, many times they have told me that they are aware of the lifetime revocation and are using it as an incentive to not re-offend. Those that have re-offended and become subject to the lifetime revocation admit that driving is a privilege and they deserve the loss of that privilege.

There comes a point in the case of multiple DUII convictions where intervention is no longer possible or realistic and consequence is necessary. Recidivism continues to be a serious concern in the public safety arena and the treatment community. This bill will reduce the incentive to stop driving while intoxicated and undermine the purpose of the lifetime revocation. Therefore, a no vote on this bill is respectfully recommended.