

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 394**Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

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Measure Description:

Eliminates requirement to have ignition interlock device installed for persons in driving while under influence diversion program.

Government Unit(s) Affected:

Judicial Department, Oregon Department of Transportation (ODOT), Oregon Health Authority (OHA)

Summary of Expenditure Impact: See Analysis

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The measure eliminates the requirement to have ignition interlock device (IID) installed for a person in the driving under the influence diversion program and would make IID installation required only upon conviction of a DUII. Currently, IID's are installed when a person is convicted for a DUII and as a condition of the diversion agreement when the person has driving privileges under the diversion program.

There is a minimal fiscal impact of this measure to the Department of Transportation (ODOT) and the Judicial Department.

There is an indeterminate impact to the Oregon Health Authority (OHA), Addictions and Mental Health Division which has the Intoxicated Driver Treatment Program, funded with dedicated Other Funds from the Criminal Fines Assessment revenues. This program reimburses the installers of IID's that are provided to the indigent. Indigent eligibility for IID's is determined by Supplemental Nutrition Assistance Program eligibility. Currently, OHA reimburses at a discounted cost of \$42.99 per month, and pays for 297 IIDs per month, on average. Based on information from the Department of Motor Vehicles there were 8,782 diversions and 8,322 convictions entered in 2013. Depending on the number of diversions which no longer require IIDs under the measure, OHA will provide fewer reimbursements for IID's through the Intoxicated Driver Treatment Program. However, those funds will then go to support indigent DUII treatment programs. If indigent IIDs follow the same ratio between diversions and convictions as overall IIDs, then about 151 IIDs per month, on average, are related to diversions and would no longer be required. This would shift approximately \$155,000 Other Funds per biennium from reimbursement for IIDs to existing treatment programs.