

SB 528 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 3/29

WHAT THE MEASURE DOES:

Eliminates authority of Department of Transportation to reinstate person's driver's license 15 years after conviction for driving while under influence of intoxicants, when person does not provide proof of completing treatment program or a court order indicating person has taken sufficient steps towards the completion of treatment program. Extends period of time, from 12 hours to 24 hours, within which temporary driving permit remains invalid after issuance to person arrested for driving while under influence of intoxicants.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When a person is convicted of driving while under the influence of intoxicants, the Department of Transportation is required to suspend the person's driver's license. ORS 813.022 prohibits the department from reinstating the person's driving privileges unless the person provides proof of completion of a treatment program, a court order indicating that the person has taken sufficient steps towards the completion of the treatment program or 15 years have elapsed since the person was convicted. Senate Bill 528 eliminates the ability of the department to reinstate a driver license based on the passage of fifteen years.

When a person is arrested for driving while under the influence of intoxicants and refuses a breath or blood test, the police officer is required to take possession of the person's driver's license and provide written notice of intent to suspend the license. In certain instances, the police officer must provide the person with a temporary driving permit that expires in 30 days. Under ORS 813.110, this temporary permit may not be used for the first 12 hours after it was issued. Senate Bill 528 extends this period from 12 hours to 24 hours.