

HOUSE RESEARCH

Bill Summary

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Subject: Ignition interlock

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Overview

This bill makes ignition interlock mandatory for all repeat DWI offenders. Currently it is mandatory for persons with three DWIs in ten years or four or more DWIs on record. In addition, it limits the ignition interlock program to offenders with alcohol-related DWI offenses. Offenders with drug-related DWI offenses will be eligible for limited licenses after a hard revocation period. The changes in this bill are effective August 1, 2017.

Section

- 1 Reinstatement of driving privileges; multiple offenses.** Makes ignition interlock mandatory for all repeat DWI offenders, not just those with three DWIs in ten years or four or more DWIs on record.

Background: Currently, ignition interlock is optional for certain DWI offenders and mandatory for others. It is “mandatory” in the sense that certain offenders cannot seek reinstatement of their regular driver’s license without participating in the ignition interlock program to prove abstinence from alcohol and drugs.

Optional: Generally, offenders with fewer than three DWIs may either: (1) go on ignition interlock to be able to drive during their revocation period; or (2) not drive and “wait out” the revocation period. At the end of the revocation period, the offender can seek reinstatement of full driving privileges regardless of which option was chosen.

Section

Mandatory: An offender with three DWIs in ten years or four or more on record must use ignition interlock for a set period of time in order to seek reinstatement of full driving privileges. These offenders cannot “wait out” the cancellation period if they want a driver’s license again. Instead, they have to prove abstinence for a period of three to six years by being on ignition interlock. (Thus, even if the offender “waits out” the cancellation period, the offender would still need to go into the ignition interlock program for three to six years to get back their license.)

Offense	Revocation or Cancellation period (no changes proposed)	Current law	Proposed law
2nd DWI in 10 years or 3rd DWI on record	1 year; 2 years if test refusal or BAC ≥ .16	Optional Ignition interlock	Mandatory Ignition interlock for reinstatement
3rd DWI in 10 years or 4th+ DWI	3 to 6 Years (depending on number of prior offenses)	Mandatory Ignition interlock for reinstatement	Mandatory Ignition interlock for reinstatement

- 2 Conditions of issuance.** Allows limited licenses for DWI offenders with drug-related offenses. Limits limited licenses under the ignition interlock program to only DWI offenders with alcohol-related offenses.
- 3 Other waiting periods.** Reinstates pre-2011 hard revocation periods that apply before a DWI offender with a drug-related offense can receive a limited license.
- 4 Ignition interlock program; definitions.** Limits participation in the ignition interlock program to DWI offenders with alcohol-related offenses.