



# House of Representatives

**File No. 645**

General Assembly

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February Session, 2012 **(Reprint of File No. 551)**

Substitute House Bill No. 5553  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 5, 2012

**AN ACT CONCERNING SUBSTANCE ABUSE PROGRAMS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (i) of section 14-111 of the 2012 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective January 1, 2013*):

4 (i) (1) Whenever any person has been convicted of any violation of  
5 section 14-110, 14-147, 14-215, as amended by this act, 14-222 or 14-224  
6 and such person's license has been suspended by the commissioner,  
7 such person may make application to the commissioner for the  
8 reversal or reduction of the term of such suspension. Such application  
9 shall be in writing and shall state specifically the reasons why such  
10 applicant believes that the applicant is entitled to such reversal or  
11 reduction. The commissioner shall consider each such application and  
12 the applicant's driver control record, as defined in section 14-111h, and  
13 may grant a hearing to the applicant in accordance with the provisions  
14 of chapter 54 and section 14-4a.

15 (2) Any person whose license has been revoked in accordance with

16 subparagraph (C) of subdivision (3) of subsection (g) of section 14-  
17 227a, as amended by this act, may, at any time after [six] two years  
18 from the date of such revocation, request a hearing before the  
19 commissioner, conducted in accordance with the provisions of chapter  
20 54, and the provisions of subdivision (1) of this subsection for reversal  
21 or reduction of such revocation. The commissioner shall require such  
22 person to provide evidence that any reversal or reduction of such  
23 revocation shall not endanger the public safety or welfare. Such  
24 evidence shall include, but not be limited to, proof that such person  
25 has successfully completed an alcohol education and treatment  
26 program, and proof that such person has not been convicted of any  
27 offense related to alcohol, controlled substances or drugs during the  
28 preceding [six] two years. The commissioner shall require any person,  
29 as a condition of granting such reversal or reduction, to install and  
30 maintain an approved ignition interlock device, in accordance with the  
31 provisions of subsection (i) of section 14-227a, as amended by this act.  
32 The approved ignition interlock device shall be installed and  
33 maintained for [a period of ten years after the date of the granting of  
34 such reversal or reduction] any period during the lifetime of such  
35 person in which such person owns or operates a motor vehicle, except  
36 that such person may, at any time after fifteen years from the date the  
37 commissioner grants such reversal or reduction, request a hearing  
38 before the commissioner, conducted in accordance with the provisions  
39 of chapter 54, to remove such ignition interlock device. The  
40 commissioner may authorize the removal of such ignition interlock  
41 device, for good cause shown, after such fifteen-year period and such  
42 hearing. The commissioner may adopt regulations, in accordance with  
43 the provisions of chapter 54, to establish standards to implement the  
44 provisions of this section.

45 Sec. 2. Subsection (g) of section 14-227a of the 2012 supplement to  
46 the general statutes is repealed and the following is substituted in lieu  
47 thereof (*Effective July 1, 2012*):

48 (g) Any person who violates any provision of subsection (a) of this  
49 section shall: (1) For conviction of a first violation, (A) be fined not less

50 than five hundred dollars or more than one thousand dollars, and (B)  
51 be (i) imprisoned not more than six months, forty-eight consecutive  
52 hours of which may not be suspended or reduced in any manner, or  
53 (ii) imprisoned not more than six months, with the execution of such  
54 sentence of imprisonment suspended entirely and a period of  
55 probation imposed requiring as a condition of such probation that  
56 such person perform one hundred hours of community service, as  
57 defined in section 14-227e, and (C) have such person's motor vehicle  
58 operator's license or nonresident operating privilege suspended for  
59 forty-five days and, as a condition for the restoration of such license,  
60 be required to install an ignition interlock device on each motor vehicle  
61 owned or operated by such person and, upon such restoration, be  
62 prohibited for the one-year period following such restoration from  
63 operating a motor vehicle unless such motor vehicle is equipped with  
64 a functioning, approved ignition interlock device, as defined in section  
65 14-227j; (2) for conviction of a second violation within ten years after a  
66 prior conviction for the same offense, (A) be fined not less than one  
67 thousand dollars or more than four thousand dollars, (B) be  
68 imprisoned not more than two years, one hundred twenty consecutive  
69 days of which may not be suspended or reduced in any manner, and  
70 sentenced to a period of probation requiring as a condition of such  
71 probation that such person: [perform] (i) Perform one hundred hours  
72 of community service, as defined in section 14-227e, (ii) submit to an  
73 assessment through the Court Support Services Division of the Judicial  
74 Branch of the degree of such person's alcohol or drug abuse, and (iii)  
75 undergo a treatment program if so ordered, and (C) (i) if such person is  
76 under twenty-one years of age at the time of the offense, have such  
77 person's motor vehicle operator's license or nonresident operating  
78 privilege suspended for forty-five days or until the date of such  
79 person's twenty-first birthday, whichever is longer, and, as a condition  
80 for the restoration of such license, be required to install an ignition  
81 interlock device on each motor vehicle owned or operated by such  
82 person and, upon such restoration, be prohibited for the three-year  
83 period following such restoration from operating a motor vehicle  
84 unless such motor vehicle is equipped with a functioning, approved

85 ignition interlock device, as defined in section 14-227j, except that for  
86 the first year of such three-year period, such person's operation of a  
87 motor vehicle shall be limited to such person's transportation to or  
88 from work or school, an alcohol or drug abuse treatment program or  
89 an ignition interlock device service center, or (ii) if such person is  
90 twenty-one years of age or older at the time of the offense, have such  
91 person's motor vehicle operator's license or nonresident operating  
92 privilege suspended for forty-five days and, as a condition for the  
93 restoration of such license, be required to install an ignition interlock  
94 device on each motor vehicle owned or operated by such person and,  
95 upon such restoration, be prohibited for the three-year period  
96 following such restoration from operating a motor vehicle unless such  
97 motor vehicle is equipped with a functioning, approved ignition  
98 interlock device, as defined in section 14-227j, except that for the first  
99 year of such three-year period, such person's operation of a motor  
100 vehicle shall be limited to such person's transportation to or from work  
101 or school, an alcohol or drug abuse treatment program or an ignition  
102 interlock device service center; and (3) for conviction of a third and  
103 subsequent violation within ten years after a prior conviction for the  
104 same offense, (A) be fined not less than two thousand dollars or more  
105 than eight thousand dollars, (B) be imprisoned not more than three  
106 years, one year of which may not be suspended or reduced in any  
107 manner, and sentenced to a period of probation requiring as a  
108 condition of such probation that such person: [perform] (i) Perform  
109 one hundred hours of community service, as defined in section 14-  
110 227e, (ii) submit to an assessment through the Court Support Services  
111 Division of the Judicial Branch of the degree of such person's alcohol  
112 or drug abuse, and (iii) undergo a treatment program if so ordered,  
113 and (C) have such person's motor vehicle operator's license or  
114 nonresident operating privilege permanently revoked upon such third  
115 offense, except that if such person's revocation is reversed or reduced  
116 pursuant to subsection (i) of section 14-111, as amended by this act,  
117 such person shall be prohibited from operating a motor vehicle unless  
118 such motor vehicle is equipped with a functioning, approved ignition  
119 interlock device, as defined in section 14-227j, for the time period

120 prescribed in subdivision (2) of subsection (i) of section 14-111, as  
121 amended by this act. For purposes of the imposition of penalties for a  
122 second or third and subsequent offense pursuant to this subsection, a  
123 conviction under the provisions of subsection (a) of this section in  
124 effect on October 1, 1981, or as amended thereafter, a conviction under  
125 the provisions of either subdivision (1) or (2) of subsection (a) of this  
126 section, a conviction under the provisions of section 53a-56b or 53a-60d  
127 or a conviction in any other state of any offense the essential elements  
128 of which are determined by the court to be substantially the same as  
129 subdivision (1) or (2) of subsection (a) of this section or section 53a-56b  
130 or 53a-60d, shall constitute a prior conviction for the same offense.

131 Sec. 3. Subsection (i) of section 14-227a of the 2012 supplement to the  
132 general statutes is repealed and the following is substituted in lieu  
133 thereof (*Effective July 1, 2012*):

134 (i) (1) The Commissioner of Motor Vehicles shall permit a person  
135 whose license has been suspended in accordance with the provisions  
136 of subparagraph (C) of subdivision (1) or subparagraph (C)(i) or (C)(ii)  
137 of subdivision (2) of subsection (g) of this section, as amended by this  
138 act, to operate a motor vehicle if (A) such person has served the  
139 suspension required under said subparagraph, notwithstanding that  
140 such person has not completed serving any suspension required under  
141 subsection (i) of section 14-227b, and (B) such person has installed an  
142 approved ignition interlock device in each motor vehicle owned or to  
143 be operated by such person, and verifies to the commissioner, in such  
144 manner as the commissioner prescribes, that such device has been  
145 installed. For a period of one year after the installation of an ignition  
146 interlock device by a person who is subject to subparagraph (C)(i) or  
147 (C)(ii) of subdivision (2) of subsection (g) of this section, as amended  
148 by this act, such person's operation of a motor vehicle shall be limited  
149 to such person's transportation to or from work or school, an alcohol or  
150 drug abuse treatment program or an ignition interlock device service  
151 center. Except as provided in sections 53a-56b and 53a-60d, no person  
152 whose license is suspended by the commissioner for any other reason  
153 shall be eligible to operate a motor vehicle equipped with an approved

154 ignition interlock device.

155 (2) All costs of installing and maintaining an ignition interlock  
156 device shall be borne by the person required to install such device. No  
157 court sentencing a person convicted of a violation of subsection (a) of  
158 this section may waive any fees or costs associated with the installation  
159 and maintenance of an ignition interlock device.

160 (3) The commissioner shall adopt regulations, in accordance with  
161 the provisions of chapter 54, to implement the provisions of this  
162 subsection. The regulations shall establish procedures for the approval  
163 of ignition interlock devices, for the proper calibration and  
164 maintenance of such devices and for the installation of such devices by  
165 any firm approved and authorized by the commissioner and shall  
166 specify acts by persons required to install and use such devices that  
167 constitute a failure to comply with the requirements for the installation  
168 and use of such devices, the conditions under which such  
169 noncompliance will result in an extension of the period during which  
170 such persons are restricted to the operation of motor vehicles equipped  
171 with such devices and the duration of any such extension. The  
172 commissioner shall ensure that such firm provide notice to both the  
173 commissioner and the Court Support Services Division of the Judicial  
174 Branch whenever a person required to install such device commits a  
175 violation with respect to the installation, maintenance or use of such  
176 device.

177 (4) The provisions of this subsection shall not be construed to  
178 authorize the continued operation of a motor vehicle equipped with an  
179 ignition interlock device by any person whose operator's license or  
180 nonresident operating privilege is withdrawn, suspended or revoked  
181 for any other reason.

182 (5) The provisions of this subsection shall apply to any person  
183 whose license has been suspended in accordance with the provisions  
184 of subparagraph (C) of subdivision (1) or subparagraph (C)(i) or (C)(ii)  
185 of subdivision (2) of subsection (g) of this section, as amended by this

186 act, on or after January 1, 2012.

187 (6) Whenever a person is permitted by the commissioner under this  
188 subsection to operate a motor vehicle if such person has installed an  
189 approved ignition interlock device in each motor vehicle owned or to  
190 be operated by such person, the commissioner shall indicate in the  
191 electronic record maintained by the commissioner pertaining to such  
192 person's operator's license or driving history that such person is  
193 restricted to operating a motor vehicle that is equipped with an  
194 ignition interlock device and, if applicable, that such person's  
195 operation of a motor vehicle is limited to such person's transportation  
196 to or from work or school, an alcohol or drug abuse treatment program  
197 or an ignition interlock device service center, and the duration of such  
198 restriction or limitation, and shall ensure that such electronic record is  
199 accessible by law enforcement officers. Any such person shall pay the  
200 commissioner a fee of one hundred dollars prior to the installation of  
201 such device. [Nothing in this subsection shall be construed to require  
202 the commissioner to verify that each motor vehicle owned by such  
203 person has been equipped with such device.]

204 (7) There is established the ignition interlock administration account  
205 which shall be a separate, nonlapsing account in the General Fund. The  
206 commissioner shall deposit all fees paid pursuant to subdivision (6) of  
207 this subsection in the account. Funds in the account may be used by  
208 the commissioner for the administration of this subsection.

209 (8) Notwithstanding any provision of the general statutes to the  
210 contrary, upon request of any person convicted of a violation of  
211 subsection (a) of this section whose operator's license is under  
212 suspension on January 1, 2012, the Commissioner of Motor Vehicles  
213 may reduce the term of suspension prescribed in subsection (g) of this  
214 section, as amended by this act, and place a restriction on the  
215 operator's license of such person that restricts the holder of such  
216 license to the operation of a motor vehicle that is equipped with an  
217 approved ignition interlock device, as defined in section 14-227j, for  
218 the remainder of such prescribed period of suspension.

219 (9) Any person required to install an ignition interlock device under  
220 this section shall be supervised by personnel of the Court Support  
221 Services Division of the Judicial Branch while such person is subject to  
222 probation supervision or by personnel of the Department of Motor  
223 Vehicles if such person is not subject to probation supervision, and  
224 such person shall be subject to any other terms and conditions as the  
225 commissioner may prescribe and any provision of the general statutes  
226 or the regulations adopted pursuant to subdivision (3) of this  
227 subsection not inconsistent herewith.

228 (10) Notwithstanding the periods prescribed in subsection (g) of this  
229 section, as amended by this act, and subdivision (2) of subsection [(k)]  
230 (i) of section 14-111, as amended by this act, during which a person is  
231 prohibited from operating a motor vehicle unless such motor vehicle is  
232 equipped with a functioning, approved ignition interlock device, such  
233 periods may be extended in accordance with the regulations adopted  
234 pursuant to subdivision (3) of this subsection.

235 Sec. 4. Section 14-227k of the 2012 supplement to the general statutes  
236 is repealed and the following is substituted in lieu thereof (*Effective July*  
237 *1, 2012*):

238 (a) No person whose right to operate a motor vehicle has been  
239 restricted pursuant to an order of the court under subsection (b) of  
240 section 14-227j or by the Commissioner of Motor Vehicles pursuant to  
241 subsection (i) of section 14-227a, as amended by this act, or subsection  
242 (i) of section 14-111, as amended by this act, shall (1) request or solicit  
243 another person to blow into an ignition interlock device or to start a  
244 motor vehicle equipped with an ignition interlock device for the  
245 purpose of providing such person with an operable motor vehicle, or  
246 (2) operate any motor vehicle not equipped with a functioning ignition  
247 interlock device or any motor vehicle that a court has ordered such  
248 person not to operate.

249 (b) No person shall tamper with, alter or bypass the operation of an  
250 ignition interlock device for the purpose of providing an operable

251 motor vehicle to a person whose right to operate a motor vehicle has  
252 been restricted pursuant to an order of the court under subsection (b)  
253 of section 14-227j or by the Commissioner of Motor Vehicles pursuant  
254 to subsection (i) of section 14-227a, as amended by this act, or  
255 subsection (i) of section 14-111, as amended by this act.

256 (c) (1) Any person who violates any provision of subdivision (1) of  
257 subsection (a) or subsection (b) of this section shall be guilty of a class  
258 C misdemeanor.

259 (2) Any person who violates any provision of subdivision (2) of  
260 subsection (a) of this section shall be subject to the penalties set forth in  
261 subsection (c) of section 14-215, as amended by this act.

262 (d) Each court shall report each conviction under subsection (a) or  
263 (b) of this section to the Commissioner of Motor Vehicles, in  
264 accordance with the provisions of section 14-141. The commissioner  
265 shall suspend the motor vehicle operator's license or nonresident  
266 operating privilege of the person reported as convicted for a period of  
267 one year.

268 Sec. 5. Subsection (c) of section 14-215 of the 2012 supplement to the  
269 general statutes is repealed and the following is substituted in lieu  
270 thereof (*Effective July 1, 2012*):

271 (c) (1) Any person who operates any motor vehicle during the  
272 period such person's operator's license or right to operate a motor  
273 vehicle in this state is under suspension or revocation on account of a  
274 violation of subsection (a) of section 14-227a or section 53a-56b or 53a-  
275 60d or pursuant to section 14-227b, or in violation of a restriction or  
276 limitation placed on such person's operator's license or right to operate  
277 a motor vehicle in this state by the Commissioner of Motor Vehicles  
278 pursuant to subsection (i) of section 14-227a, as amended by this act,  
279 or pursuant to an order of the court under subsection (b) of section 14-  
280 227j, shall be fined not less than five hundred dollars or more than one  
281 thousand dollars and imprisoned not more than one year, and, in the  
282 absence of any mitigating circumstances as determined by the court,

283 thirty consecutive days of the sentence imposed may not be suspended  
284 or reduced in any manner.

285 (2) Any person who operates any motor vehicle during the period  
286 such person's operator's license or right to operate a motor vehicle in  
287 this state is under suspension or revocation on account of a second  
288 violation of subsection (a) of section 14-227a or section 53a-56b or 53a-  
289 60d or for the second time pursuant to section 14-227b, or in violation  
290 of a restriction or limitation placed for the second time on such  
291 person's operator's license or right to operate a motor vehicle in this  
292 state by the Commissioner of Motor Vehicles pursuant to subsection (i)  
293 of section 14-227a, as amended by this act, or pursuant to an order of  
294 the court under subsection (b) of section 14-227j, shall be fined not less  
295 than five hundred dollars or more than one thousand dollars and  
296 imprisoned not more than two years, and, in the absence of any  
297 mitigating circumstances as determined by the court, one hundred  
298 twenty consecutive days of the sentence imposed may not be  
299 suspended or reduced in any manner.

300 (3) Any person who operates any motor vehicle during the period  
301 such person's operator's license or right to operate a motor vehicle in  
302 this state is under suspension or revocation on account of a third or  
303 subsequent violation of subsection (a) of section 14-227a or section 53a-  
304 56b or 53a-60d or for the third or subsequent time pursuant to section  
305 14-227b, or in violation of a restriction placed for the third or  
306 subsequent time on such person's operator's license or right to operate  
307 a motor vehicle in this state by the Commissioner of Motor Vehicles  
308 pursuant to subsection (i) of section 14-227a, as amended by this act, or  
309 pursuant to an order of the court under subsection (b) of section 14-  
310 227j, shall be fined not less than five hundred dollars or more than one  
311 thousand dollars and imprisoned not more than three years, and, in  
312 the absence of any mitigating circumstances as determined by the  
313 court, one year of the sentence imposed may not be suspended or  
314 reduced in any manner.

315 (4) The court shall specifically state in writing for the record the

316 mitigating circumstances, or the absence thereof.

317 Sec. 6. Subsection (l) of section 14-227a of the 2012 supplement to the  
318 general statutes is repealed and the following is substituted in lieu  
319 thereof (*Effective July 1, 2012*):

320 (l) If the court sentences a person convicted of a violation of  
321 subsection (a) of this section to a period of probation, the court may  
322 require as a condition of such probation that such person participate in  
323 a victim impact panel program approved by the Court Support  
324 Services Division of the Judicial [Department] Branch. Such victim  
325 impact panel program shall provide a nonconfrontational forum for  
326 the victims of alcohol-related or drug-related offenses and offenders to  
327 share experiences on the impact of alcohol-related or drug-related  
328 incidents in their lives. Such victim impact panel program shall be  
329 conducted by a nonprofit organization that advocates on behalf of  
330 victims of accidents caused by persons who operated a motor vehicle  
331 while under the influence of intoxicating liquor or any drug, or both.  
332 Such organization may assess a participation fee of not more than  
333 [twenty-five] seventy-five dollars on any person required by the court  
334 to participate in such program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2013</i>	14-111(i)
Sec. 2	<i>July 1, 2012</i>	14-227a(g)
Sec. 3	<i>July 1, 2012</i>	14-227a(i)
Sec. 4	<i>July 1, 2012</i>	14-227k
Sec. 5	<i>July 1, 2012</i>	14-215(c)
Sec. 6	<i>July 1, 2012</i>	14-227a(l)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Department of Motor Vehicles	TF - Cost	Minimal	Minimal

Note: TF=Transportation Fund

**Municipal Impact:** None

**Explanation**

The bill may result in a minimal cost to the Department of Motor Vehicles (DMV) by allowing a person subject to a lifetime ignition interlock to request a hearing from the DMV after 15 years of the installation.

The bill makes changes to the restrictions imposed on drivers with ignition interlock devices, which has no fiscal impact on the Department of Motor Vehicles (DMV).

House "A" strikes the underlying bill and its associated fiscal impact, and results in the impact described above.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis****sHB 5553 (as amended by House "A")\******AN ACT CONCERNING SUBSTANCE ABUSE PROGRAMS.*****SUMMARY:**

This bill makes a number of changes to the driving under the influence (DUI) laws, including:

1. placing restrictions on the first year of driving with an ignition interlock device after a second DUI conviction;
2. allowing a DUI offender whose license is permanently revoked to request restoration sooner but requiring lifetime use of an ignition interlock device after restoration, subject to a request for removal of the device for good cause after 15 years of use;
3. increasing, from \$25 to \$75, the maximum participation fee an organization conducting a victim impact panel program can charge a DUI offender who is ordered to attend the program by the court (currently they can charge a \$75 fee for panels in the pretrial alcohol education program); and
4. making technical and conforming changes.

\*House Amendment "A" (1) allows a person subject to lifetime ignition interlock use under the bill's provisions to request a hearing on removing the device after 15 years; (2) deletes a provision reinstating the alcohol and drug addiction treatment program and allowing anyone previously participating in or eligible for it to complete the new program or an equivalent one; and (3) deletes a provision allowing a second-time DUI offender to drive to an

appointment with a probation officer during the first year of driving with an ignition interlock.

EFFECTIVE DATE: July 1, 2012; except for the provisions on lifetime ignition interlock use after license reinstatement for third or subsequent DUI offenders, which is effective January 1, 2013.

### **IGNITION INTERLOCK DEVICES**

After a second DUI conviction, the law requires an offender to operate a motor vehicle with an ignition interlock for three years after his or her license suspension period ends. The bill additionally limits driving during the first year with the interlock after license restoration to driving to or from work or school, an alcohol or drug abuse treatment program, or ignition interlock service center. The commissioner must note this restriction on the driver's electronic records, as she does for current ignition interlock requirements.

For a third or subsequent DUI conviction, the law requires an offender's license to be permanently revoked, but he or she can request a reversal or reduction. The bill reduces the period the offender must wait before requesting a restoration hearing from six to two years. If his or her license is restored, the bill requires use of an ignition interlock device as long as he or she drives a vehicle, instead of only for 10 years after license restoration. But the bill allows the person to request a hearing on removing the ignition interlock after 15 years of use and allows the commissioner to authorize removal if she finds good cause after the hearing.

By law, the DMV commissioner can extend periods of required ignition interlock device use beyond those required in the statute under regulations she adopts (CGS § 14-227a(i)(10)).

For use of an ignition interlock device after a first or second DUI conviction, the bill requires the offender to verify to the commissioner, in a way the commissioner requires, that the device is installed. Prior law specified that the commissioner did not have to verify installation.

## ASSESSMENT AND COURT-ORDERED TREATMENT

For second and subsequent DUI convictions, the bill requires an offender to submit to an alcohol or drug abuse assessment through the Judicial Branch's Court Support Services Division and undergo a treatment program if ordered to do so by the court. Existing law allows the court to order a DUI offender to participate in an alcohol education and treatment program (CGS § 14-227a(j)).

## BACKGROUND

### *DUI Suspensions*

By law, motorists convicted of DUI are subject to imprisonment, a fine, and suspension of their driver's licenses. Table 1 shows the DUI suspension period penalties the law imposes.

**Table 1: License Suspensions for DUI violations**

DUI Violation	License Suspension
First	45 days, followed by one year driving only a vehicle equipped with an ignition interlock device
Second (under age 21)	45 days or until driver turns 21, whichever is longer, followed by three years of driving only a vehicle equipped with an ignition interlock device
Second (age 21 or older)	45 days, followed by three years of driving only a vehicle equipped with an ignition interlock device

### *Administrative Per Se Suspensions*

These are suspensions the commissioner must impose on drivers who refuse to submit to a test or whose test results indicate an elevated blood alcohol content (BAC); they are in addition to any suspension penalties imposed for conviction of any criminal DUI charge. By law, the commissioner must suspend the license of a person with a BAC of between 0.08 and 0.16 for 90 days for a first offense; nine months for a second offense; and two years for a third or subsequent offense. The license suspension period for a driver who refuses to take a test is six months for a first offense, one year for a second offense, and three years for a third or subsequent offense.

## COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 42 Nay 0 (04/02/2012)

Transportation Committee

Joint Favorable

Yea 31 Nay 0 (04/26/2012)