
OLR Bill Analysis

sSB 1166

AN ACT CONCERNING IGNITION INTERLOCK DEVICES.

SUMMARY:

This bill:

1. increases, from three to five years, the maximum prison sentence for fourth and subsequent convictions of driving under the influence (DUI) and
2. requires the Department of Motor Vehicles (DMV) commissioner, when suspending someone's license for a violation of the implied consent law, to order the person to install ignition interlock devices (IID) in any motor vehicle he or she owns or operates.

EFFECTIVE DATE: October 1, 2013, except the IID requirement is effective January 1, 2014.

DUI PENALTIES

Under current law, third and subsequent DUI convictions are punishable by up to three years in prison with a one-year mandatory minimum sentence, probation with 100 hours of community service, and a fine of \$2,000 to \$8,000. The bill increases the maximum prison term from three to five years for a fourth or subsequent DUI conviction. It does not change the other penalties including the one-year mandatory minimum sentence. Table 1 displays the penalties under current law, unchanged by the bill, for first, second, and third DUI convictions within 10 years of a prior conviction.

Table 1: Penalties Under Current Law and the Bill for 1st, 2nd, and 3rd DUI Convictions

<i>Conviction</i>	<i>Prison Sentence</i>	<i>Fine</i>
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Conviction	Prison Sentence	Fine
First	Either (1) up to six months with a mandatory minimum of 48 hours or (2) up to six months suspended with probation requiring 100 hours of community service	\$500-\$1,000
Second	Up to two years, with a mandatory minimum of 120 days and probation with 100 hours community service	\$1,000-\$4,000
Third	Up to three years, with mandatory minimum of one year and probation with 100 hours community service	\$2,000-\$8,000

The law also requires license suspensions for DUI offenders and, for second and subsequent convictions, alcohol and drug abuse assessments. The court can require treatment.

IMPLIED CONSENT LICENSE SUSPENSIONS AND IID USE

The implied consent law requires an administrative license suspension process for drivers who refuse to submit to a blood-alcohol content test (BAC) or whose test results indicate an elevated BAC (.08 in most cases).

If the DMV commissioner suspends a person's drivers' license or nonresident operating privilege under the implied consent law, the bill requires her to (1) order the person to install an approved IID in each motor vehicle he or she owns or operates and (2) adopt regulations on the requirements and time periods for the IID's use.

IIDs require a driver to breathe into the device in order to operate the vehicle and prevent the driver from driving under the influence of alcohol. The law already requires a period of IID use after completing a license suspension period for a DUI conviction.

BACKGROUND

Related Bills

sHB 6701, reported favorably by the Judiciary Committee, increases the criminal penalties for three DUI-related crimes involving passengers under age 16. It applies to first DUI convictions; 2nd degree manslaughter with a motor vehicle; and 2nd degree assault with a

motor vehicle. For the latter two crimes, the increased penalty applies only if the child was killed or seriously injured, respectively.

sHB 6495 (File 368), reported favorably by the Transportation Committee, (1) allows certain people convicted of DUI to drive to probation appointments in the first year of driving only cars equipped with ignition interlock devices and (2) makes ineligible for the pre-trial alcohol education program anyone charged with DUI who held a commercial driver's license or commercial driver's instruction permit at the time of the violation, regardless of whether he or she was driving a commercial motor vehicle.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/19/2013)