OLR Bill Analysis
SB 1086

AN ACT CONCERNING REPEAT DRIVING UNDER THE INFLUENCE OFFENDERS.

SUMMARY

This bill increases the prison sentence imposed for repeat convictions for driving under the influence of intoxicating drugs or liquor (DUI). The penalties associated with a first-time DUI conviction remain unchanged under the bill (see BACKGROUND).

For individuals with a second DUI conviction occurring within 10 years after a prior conviction, the bill increases the maximum prison term from two years to three years and increases the mandatory minimum from 120 days to 180 days. For individuals with a third or subsequent DUI conviction occurring within 10 years after a prior conviction, the bill increases the maximum prison term from three years to five years and increases the mandatory minimum from one year to two years. The fines and other penalties associated with these offenses remain unchanged under the bill (see below).

EFFECTIVE DATE: October 1, 2019

PENALTY CHANGES

Second Conviction

Under current law, a person with a second DUI conviction occurring within 10 years of a prior conviction is subject to imprisonment for up to two years, with a mandatory minimum prison term of 120 consecutive days and probation with 100 hours of community service. The bill increases the prison sentence to three years with a mandatory minimum of 180 consecutive days and retains the required probation with 100 hours of community service.

The law, unchanged by the bill, also subjects such an offender to (1)
a fine of $1,000 to 4,000 and (2) a 45-day license suspension, followed by three years driving only vehicles equipped with an ignition interlock device (IID), with driving limited for the first year to specified purposes (e.g., work or school). (An IID is a breath-testing device connected to a motor vehicle’s ignition system. It prevents the driver from operating the vehicle if it detects a pre-determined level of alcohol in the driver’s breath.)

**Third and Subsequent Convictions**

Under current law, for a third and subsequent DUI convictions occurring within 10 years of a prior conviction, the offender is subject to up to three years in prison, with a mandatory minimum prison sentence of one year and probation with 100 hours of community service. The bill increases this sentence to a five year prison term with a two year mandatory minimum and retains the required probation with 100 hours of community service.

The law, unchanged by the bill, also subjects such an offender to (1) a fine of $2,000 to 8,000 and (2) license revocation, but the offender is eligible for reinstatement after two years. If reinstated, he or she must drive only IID-equipped vehicles for as long as the offender drives unless the DMV commissioner lifts the IID requirement.

**BACKGROUND**

**Connecticut DUI Law**

Connecticut’s DUI law prohibits driving while under the influence of an intoxicating liquor, drug, or both and driving with a blood alcohol content of 0.08% or greater (or, if driving a commercial vehicle, 0.04% or greater). Penalties for those convicted of DUI include license suspension, fines, and prison terms and vary based on the number of previous offenses.

**First Conviction**

By law, unchanged by the bill, a first-time conviction for a DUI offense subjects the offender to (1) imprisonment for up to six months with a mandatory minimum of two consecutive days or (2) six months suspended with probation requiring 100 hours of community service.
The law also subjects the offender to a (1) fine of $500 to 1,000 and (2) a 45-day license suspension, followed by one year driving only vehicles equipped with an IID.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 26  Nay 9  (04/12/2019)