



IOWA HOUSE DEMOCRATS

BILL SUMMARY

Ignition Interlock Devices & Temporary Restricted Licenses HF 2338

Status of Bill: House Floor

Committee: Public Safety (21-0); House (97-0); Senate (47-0)

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Lead Democrat: Representative Kurth

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Background

Persons convicted of operating while intoxicated (OWI) can be subject to the following; a driver's license suspension or revocation with a period of ineligibility for a temporary restricted license (TRL);), a requirement to have an ignition interlock installed on their vehicle; and the issuance of a TRL pending eligibility requirements under current law. Whether all or some of these apply to an individual depends upon the specific factors related to his or her violation.

Currently, a TRL holder has restrictions on where and for what purpose that individual can drive. Iowa law limits a TRL driver's perimeter from their home to specified places and for only specific reasons as required by the driver's employment, continuing health care of a dependent, educational program, substance abuse treatment program, or court-ordered related responsibilities. Additionally, current law restricts the eligibility period for a TRL based on various factors relating to an OWI violation, including: multiple OWI related convictions within a certain time; multiple violations involving motor vehicle operation; refusal of a blood alcohol content (BAC) test; having a BAC level above .08 legal limit; committing an OWI related offense under the age of twenty-one; an OWI conviction involving the death or physical injury or another; and operating a motor vehicle with a suspended, revoked, or barred license/permit. Sanctioned drivers who are eligible for a TRL and who have had a BAC test of .10 or higher are required to install an approved ignition interlock device on all vehicles owned or operated by the driver.

Bill Summary

Overall, this bill removes certain ineligibility periods for a TRL and requires installation of an approved ignition interlock device on any motor vehicle owned or operated by a sanctioned driver with an OWI related violation. This includes individuals charged with an OWI while having a BAC between .08 and .10. Additionally, sanctioned drivers with a TRL would be permitted to operate their motor vehicle in any manner according to a valid class C license. The bill would apply to all individuals who seek or are issued a TRL on or after July 1, 2018. The Department of Transportation (DOT) would be required to permit Individuals who receive a TRL prior to July^t, 2018 to apply for a new TRL subject to the conditions within this bill

This bill would not apply to certain provisions under current law, including: two-year ineligibility period for convictions involving homicide or serious injury by vehicle; provisions prohibiting a TRL driver from operating a commercial vehicle or school bus; and TRL to persons whose license is suspended or revoked for another reason.

Fiscal Summary

Fiscal impact on the general fund includes an estimated reduction of \$919,275 during FY2019 and \$1,838,550 during FY2020 in correctional and judicial-related costs. Any reduction in convictions under this section may also result in a decrease of collected fines. Additionally, this bill will have a positive minority impact and is expected to reduce prison, jail, probation and Community-Based Corrections (CBC) orders for residential admissions.

Amendment Summary

H-8315 (Senate) to HF 2338

This amendment strikes language in the bill and maintains current law regarding penalties for causing the death of another while driving intoxicated. Current penalty for such a violation is a six year license suspension and 2 year ineligibility period for a TRL.

Hyatt, Anna[C:\Users\alison.ver.schuer\Documents\HF 2338 Bill Summary.docx\April 4, 2018]3:25 PM