

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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January 6, 1999

This draft was prepared as a preliminary draft because of problems I discovered when redrafting AB-17 from the 1997-99 session.

In that previous draft, the occupational license of a person could be restricted to the operation of vehicles equipped with an ignition interlock device even if the person applying for the occupational license did not have any alcohol-related violation. This bill limits the use of an ignition interlock restricted occupational license to those individuals who have had one or more alcohol-related convictions or license suspensions or revocations.

This bill reflects changes made in OWI law after the introduction of AB-17, including the revision of the information provided to the accused drunk driver by the law enforcement officer and the inclusion of the crimes of homicide of and committing great bodily harm to an unborn child while drunk driving.

This bill attempts to limit the use of ignition interlock devices to vehicles operated by a person who has refused to submit to a test to determine his or her blood alcohol concentration and who has one previous drunk driving suspension, revocation or conviction and by a person who has committed a criminal drunk driving offense, which includes a second or subsequent drunk driving violation. I was not sure if the original intent of AB-17 was limited to criminal drunk driving or if it intended to treat first offense drunk driving cases handled in circuit and municipal court. AB-17 did not address this issue directly, so I decided to limit the bill to criminal drunk driving and refusals after a prior drunk driving suspension, revocation or conviction.

Please review the draft carefully and let me know of any necessary changes.

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