



S.F. No. 2068 – DWI-Related Modifications to Law (2nd Engrossment)

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Section 1 makes it a misdemeanor to intentionally remove or damage a permanent sticker affixed to and invalidating a registration plate under the DWI license plate impoundment law (see **section 6**)

Sections 2, 3, 5, 10, and 11 are conforming changes. Under current law, these sections provide the specific driver's license revocation periods for DWI convictions and implied consents. The changes strike those periods and provide a cross reference to the time periods listed in **section 12**.

Section 4 provides that when a peace officer is revoking a person's driver's license for a DWI implied consent violation and issuing the person a temporary license, the temporary license will be effective for 14 days (current law is seven days).

Section 6 amends the DWI license plate impoundment law to permit a peace officer, as an alternative to seizing and destroying the plates at the time of the violation, to invalidate the plates by affixing a permanent sticker on them.

Section 7 amends the DWI license plate impoundment law to provide that when a plate impoundment violation occurs, the person must be issued a temporary vehicle permit valid for 14 days rather than seven days.

Section 8 amends the DWI license plate impoundment law to provide that a person who receives a notice of impoundment and impoundment order must surrender any plates not initially seized by the peace officer within 14 days (current law is seven days).

Section 9 modifies the exception to the DWI vehicle forfeiture law for persons who enter the ignition interlock device program to provide that forfeiture is stayed if the driver becomes a program participant in *any* motor vehicle.

Section 12 imposes driver's license revocation and ignition interlock participation periods for DWI convictions and implied consents, and also criminal vehicular operation (CVO) and homicide (CVH) convictions in a single section of law.

Increases the license revocation periods for most *repeat* DWI offenders and makes it clear that these periods coincide with the period that the person must participate in the ignition interlock program (does not change the revocation periods for first-time offenders but does extend the current ten-year lookback period when determining whether someone has a prior DWI-related incident to twenty years). Requires that all repeat offenders complete a licensed substance abuse disorder treatment or rehabilitation program before being eligible to have their full driving privileges reinstated (currently not all are required to). Under the bill, a person with one prior in the past twenty years will receive a license revocation and be required to participate in the ignition interlock program for two years. This period increases to six years if the person has two lifetime priors, and to ten years if the person has three or more lifetime priors.

Makes similar changes to the CVO revocation/ignition interlock participation time periods, look back period (here the current ten-year lookback is changed to the person's life), and treatment requirements. Under the bill, a CVO offender who caused bodily harm or substantial bodily harm will be required to participate in the ignition interlock program for five years if the offender has one lifetime prior, eight years if the offender has two lifetime priors, and ten years if the offender has three or more lifetime priors. If the CVO caused great bodily harm, the revocation/ignition interlock period will be eight years for one lifetime prior and ten years for two lifetime priors.

Increases CVH revocation time periods and eliminates the current ten-year lookback period. Under the bill, a CVH offender will receive a license revocation for fifteen years if the offender has one prior, and for the remainder of the offender's life for two or more priors.

Provides that CVH offenders whose conviction involved alcohol must participate in the ignition interlock program.

Sections 13, 15, 17, and 19 make conforming and technical changes and repeal language superseded by the bill.

Section 14 provides that a person whose driver's license revocation, cancellation, or suspension period was extended because of a violation of the DPS's ignition interlock device program guidelines may challenge this extension in court.

Section 16 prohibits a person from being required to pay the DWI driver's license reinstatement fee (\$250) and surcharge (\$430) before receiving a restricted license and being able to participate in the ignition interlock program. Also makes conforming changes.

Section 18 makes it a gross misdemeanor for an ignition interlock device program participant to operate a motor vehicle not equipped with an ignition interlock device.



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