

MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

CONFERENCE COMMITTEE

DATE 4/11/05

BILL SB 423

NAMES	PRESENT	ABSENT	EXCUSED
<i>Senator Lasnik, Chair</i>			
<i>Representative George Fiddett</i>	✓		
<i>Sen. Jeff Mangum</i>	✓		
<i>Sen. Jim Buckley</i>	✓		
<i>Rep. Curt Thomas</i>	✓		
<i>Rep. Jan Jones</i>	✓		
<i>Rep. Christopher Harris</i>	✓		
<i>Rep. Holvik, Committee Secretary</i>	✓		
<i>John McMaster, Legislative Staff</i>	✓		



CONFERENCE COMMITTEE

on House amendments to Senate Bill 423

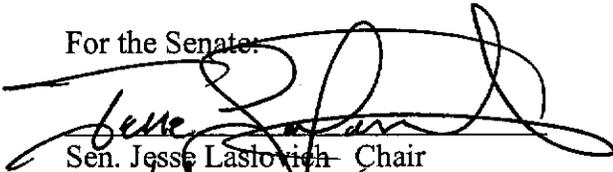
Report No. 1, April 11, 2005

Page 1 of 2

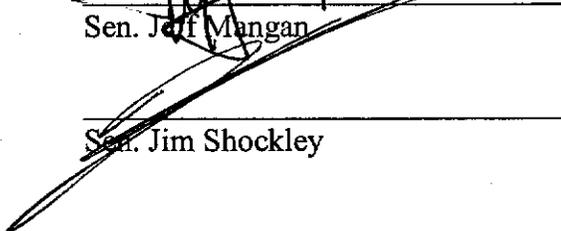
Mr. President and Mr. Speaker:

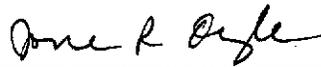
We, your Conference Committee met and considered House amendments to **Senate Bill 423** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

For the Senate:


Sen. Jesse Laslovich - Chair


Sen. Jeff Mangan

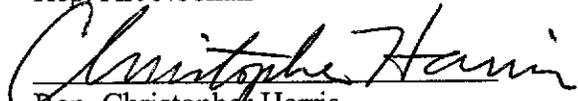

Sen. Jim Shockley

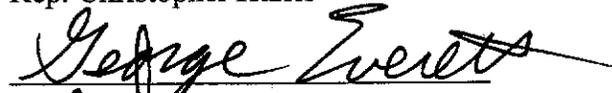

Amendment Coordinator

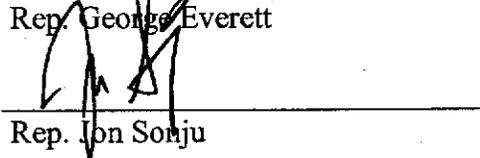
Secretary of the Senate

For the House:


Rep. Art Noonan


Rep. Christopher Harris


Rep. George Everett


Rep. Jon Sonju

And, recommend that **Senate Bill 423** (reference copy -- salmon) be amended as follows:

- 1. Title, page 1, line 9.
- Strike:** "A CONDITION"
- Insert:** "CERTAIN CONDITIONS"

ADOPT

Amendment # SB 423-1

REJECT

KF

2. Page 4, line 3 through line 4.

Strike: "IF" on line 3 through "GREATER" on line 4

- END -

for meeting packet

TO: SENATOR Lasbitch
FROM: KATHY FABIANO
ASSISTANT SECRETARY TO THE SENATE
RE: CONFERENCE COMMITTEE

Your secretary for the conference committee on SB 423 will be
Reg Holwick. Your staffer for the conference committee
is John McMaster.

Once you have decided when the committee will meet, please contact the secretary and she will find a room for you. Please try to talk to the secretary before you announce the meeting under order of business #12. I will provide the secretary with a packet containing everything you will need for the committee meeting, including copies of the reference bill and amendments and a copy of the third reading votes in both houses. Meetings must be posted with the Secretary of the Senate's office as usual. Your secretary will notice all committee members and the staffer.

Each house votes separately and a majority of each house is needed to report the bill out of conference committee. If the committee can't reach agreement you may meet again and reconsider your action, dissolve and appoint new members, or dissolve and become a free conference committee.

Please call me at 4840 or stop by my office in room 302 if you have any questions.

Cc: Conference Committee Secretary

"Bills to the House" Report

Date Range: 04/07/2005 12:00:00 AM -- 04/07/2005 02:56:24 PM

04- SB/SJR Conference Committee appointed for Senate Bill:

Date: April 07, 2005
To: Marilyn Miller, Chief Clerk of the House
From: Bill Lombardi, Secretary of the Senate

I am directed by the Senate to inform the House of Representatives that the Senate, on April 07, 2005, failed to concur in the House amendments to Senate bill 423, and by motion, the President was authorized to appoint a conference committee and requests the House to appoint a like committee to confer on House amendments to Senate bill 423. The President appointed the following members:

***The President Appoints Senators Laslovich,
Mangan, Shockley***

SB 423 Laslovich, Jesse

07-APR-05

(S) Conference Committee Appointed

Revise ignition interlock laws

(S) 2nd Reading House Amendments Not Concurred on Voice Vote; Vote: 49 - 1

10-SB - Accede to Senate request to appoint a conference committee:

Date: April 09, 2005
To: Bill Lombardi, Secretary of the Senate
From: Marilyn Miller, Chief Clerk of the House

I am directed by the House of Representatives to inform the Senate that the House of Representatives this day, acceded to the request of the Senate and has authorized the Speaker to appoint a conference committee to meet with a like committee from the Senate on House amendments to Senate bill 423. The Speaker appointed the following members:

Rep. Noonan, Harris, Everett, Sonju appointed.

SB 423 Laslovich, Jesse (H) Conference Committee Appointed
Revise ignition interlock laws
Senate members: The President Appoints Senators Laslovich, Mangan, Shackley

Unofficial vote tally as initially recorded. For official copy, see the journal.

Bill: SB 423 Date: 2/22/2005 Time: 8:26:26 AM
Vote Sequence Number: 550
Motion: 3RD RDG - DO PASS

Yeas: Bales, Balyeat, Barkus, Black, Brueggeman, Cobb, Cocchiarella, Cooney, Cromley, Curtiss, Ellingson, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Grimes, Hansen, Harrington, Hawks, Keenan, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Manga, McGee, Moss, O'Neil, Pease, Perry, Roush, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, Tash, Toole, Tropila, Weinberg, Wheat, Williams, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0



Montana Legislative Services Division

Legal Services Office

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

March 11, 2005

Senator Robert Story
133 Valley Creek Road
Park City, Montana 59063

Dear Senator Story:

I am writing in response to your request for an analysis of the procedure to be used during this session for conference committees. Joint Rule 30-30 provides for conference committees. It provides that if either house requests a conference and appoints a committee for the purpose of discussing an amendment on which the two houses cannot agree, the other house shall appoint a committee for the same purpose. The time and place of all conference committee meetings must be agreed upon by their chairs and announced from the rostrum. This announcement is in order at any time. Failure to make this announcement does not affect the validity of the legislation being considered. A conference committee meeting must be conducted as an open meeting, and minutes of the meeting must be kept. A conference committee, having conferred, shall report to the respective houses the result of its conference. A conference committee shall confine itself to consideration of the disputed amendment. The committee may recommend the acceptance or rejection of each disputed amendment in its entirety or further amendment of the disputed amendment. If either house requests a free conference committee and the other house concurs, appointments must be made in the same manner as for a conference committee. A free conference committee may discuss a bill in its entirety and is not confined to a particular amendment. This rule does not specifically require that a conference committee meet and attempt to resolve the differences concerning the disputed amendments prior to appointing a free conference committee. However, section 773 of Mason's Manual of Legislative Procedure (2000) provides that this is the normal procedure.

Senate Rule S30-10(3) provides that the President of the Senate appoints conference committees with the advice of the floor leaders. House Rule H40-220(4) provides that conference committees must be composed of an equal number of members from each political party. The members of conference committees must be appointed by the House Democratic Leader and the House Republican Leader after good faith consultation. Each leader shall appoint the members of the leader's respective party.

Senate Rule S50-210(3) provides that if the Senate rejects the House amendments to Senate legislation, the Senate may request the House to recede from its amendments or may direct appointment of a conference committee and request the House to appoint a like committee. Senate Rule S50-110 provides that when a conference committee report is filed with the Secretary of the Senate, the report must be read under Order of Business No. 3, select committees, and placed on the calendar the succeeding legislative day for consideration on second reading. If recommended favorably by the Committee of the Whole, it may be considered on third reading the same legislative day. If both the Senate and the House of Representatives

CONFERENCE COMMITTEE PROCEDURE

1. Contact chairman and set time for the meeting. Senators always chair these conference committees; Representatives are the vice-chairs.
2. Schedule a room with House or Senate Sergeant-of-Arms office.
3. Post meeting with Secretary of Senate's office--sometimes a phone call is best.
4. Send notice to all committee members and staffer.
5. Set up meeting room as you would any committee meeting:
 - A. Sign-in sheet
 - B. Bill, Fiscal Note (if applicable)
 - C. Note pad and pencil for each member
 - D. Additional proposed amendments if available
6. Submit Conference Committee Report Request (purple) to the House (if a HB) or Senate (if a SB) Amendments Coordinator. Sign clipboard as with any other meeting and place request form in "IN" basket. Vote tally is on this sheet; record the vote after each name (Y or N). You will need Y votes from at least two Senators and at least two Representatives to report the bill out of committee. If one house votes against the motion, the committee can do one of the following:
 1. Meet again
 2. Dissolve and request appointment of new members
 3. Dissolve and request a free conference committee
 4. Reconsider action by those against
7. Acquire signatures on the Conference Committee Report from each committee member that voted YES, House and Senate. The Report will come in triplicate (white, pink, and green).
8. Get report initialed in Secretary of Senate's office, keep copy of the Conference Committee Report for your minutes. This office will get the originals to correct offices.
9. Do minutes as usual. Include any amendments, exhibits, and copy of the Conference Committee Report.
10. If they cannot come to an agreement and choose to indefinitely postpone, see the Secretary's office.

Unofficial vote tally as initially recorded. For official copy, see the journal.

Bill: SB 423 Date: 4/4/2005 Time: 2:48:33 PM
Vote Sequence Number: 057
Motion: 3RD READING D/CONCUR

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Buzzas, Callahan, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Frank Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, H Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Lake, Lange, Lenhart, Lindeen, MacLaren, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Ra Roberts, Ross, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Villa, Wagman, Waitschie Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 78

Noes: Balyeat, D. Brown, R. Brown, Caferro, Campbell, Hawk, Heinert, Hendrick, Himmelberger, Jayne, Klock, Koopman, Lambert, Maedje, Mendenhall, Morgan, Rice, Ripley, Sales, Sinrud, Sonju, Windy Boy.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0



HOUSE STANDING COMMITTEE REPORT

March 22, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary recommend that Senate Bill 423 (second house second reading copy -- tan) be concurred in as amended.

Signed:


Representative Diane Rice, Chair

To be carried by Representative Christopher Harris

And, that such amendments read:

1. Title, page 1, line 9.

Strike: "CERTAIN CONDITIONS"

Insert: "A CONDITION"

2. Page 4, line 3.

Following: "greater"

Insert: "if the person's blood alcohol concentration at the time
of the arrest was 0.16 or greater"

- END -

Committee Vote:

Yes 17, No 1.

5B 423

631356SC.hkh

3/22/05
jhu



HOUSE STANDING COMMITTEE REPORT

March 22, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 423** (second house second reading copy -- tan) be **concurrred in as amended**.

Signed:

Diane Rice
Representative Diane Rice, Chair

To be carried by Representative Christopher Harris

And, that such amendments read:

1. Title, page 1, line 9.

Strike: "CERTAIN CONDITIONS"

Insert: "A CONDITION"

2. Page 4, line 3.

Following: "greater"

Insert: "if the person's blood alcohol concentration at the time of the arrest was 0.16 or greater"

- END -

Committee Vote:

Yes 17, No 1.

SB 423

631356SC.hkh
3/22/05
jhr

SENATE BILL NO. 423

INTRODUCED BY LASLOVICH

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ALCOHOL IGNITION INTERLOCK DEVICE LAWS AND LAWS GOVERNING ISSUANCE OF CERTAIN DRIVER'S LICENSES AFTER REVOCATION; REQUIRING CERTAIN DRIVER'S LICENSES TO CONVEY THE TERM OF PROBATION RESTRICTIONS IMPOSED ON THE LICENSEE FOR OPERATION OF A MOTOR VEHICLE; REQUIRING AN ALCOHOL IGNITION INTERLOCK DEVICE PROVIDER TO INCLUDE IN A LEASE AGREEMENT A WARNING REGARDING TAMPERING WITH OR MISUSE OF THE DEVICE; REMOVING CERTAIN CONDITIONS A CONDITION UNDER WHICH A COURT MAY RESTRICT A PERSON TO DRIVING ONLY A MOTOR VEHICLE WITH AN IGNITION INTERLOCK DEVICE; AND AMENDING SECTIONS 61-5-208, 61-8-441, AND 61-8-442, MCA."

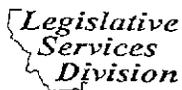
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-5-208, MCA, is amended to read:

"61-5-208. Period of suspension or revocation -- probationary license -- ignition interlock device ~~allowed on first offense~~ restrictions -- notation on driver's license. (1) The department may not suspend or revoke a driver's license or privilege to drive a motor vehicle on the public highways, except as permitted by law.

(2) (a) Except as provided in 61-2-302, a person whose license or privilege to drive a motor vehicle on the public highways has been suspended or revoked may not have the license, endorsement, or privilege renewed or restored until the revocation or suspension period has been completed.

(b) When a person is convicted or forfeits bail or collateral not vacated for a first offense of operating or being in actual physical control of a motor vehicle while under the influence of alcohol or any drug or a combination of alcohol or drugs or for a first offense of operation of a motor vehicle by a person with alcohol concentration of 0.08 or more, the department shall, upon receiving a report of conviction or forfeiture of bail or collateral not vacated, suspend the driver's license or driving privilege of the person for a period of 6 months. Upon receiving a report of a conviction or forfeiture of bail or collateral for a second, third, or subsequent offense within 5 years of the first offense, the department shall suspend the license or driving privilege of the person for a period of 1 year and may not issue a probationary license during the period of suspension. If the 1-year



1 (ii) a motor vehicle operated by the person is equipped with an ignition interlock device."

2
3 **Section 2.** Section 61-8-441, MCA, is amended to read:

4 **"61-8-441. Department rules regarding ignition interlock devices -- ignition interlock device**
5 **provider requirements.** (1) The department shall adopt rules providing for the approval of ignition interlock
6 devices and the installation, calibration, repair, and removal of approved devices.

7 (2) The department's rules must be based upon federal standards issued for similar devices.

8 (3) An ignition interlock device that is approved by the department must also:

9 (a) be designed so it does not impede safe operation of the vehicle;

10 (b) correlate well with the level established for alcohol impairment;

11 (c) work accurately and reliably in an unsupervised environment and under extreme weather conditions;

12 (d) require a deep lung breath sample or use an equally accurate measure of blood alcohol
13 concentration equivalence;

14 (e) resist tampering and show evidence of tampering if it is attempted;

15 (f) be difficult to circumvent;

16 (g) minimize inconvenience of a sober user;

17 (h) operate reliably over the range of automobile environments and in connection with various
18 manufacturing standards; and

19 (i) be manufactured by a person who is adequately insured for product liability; ~~and~~

20 ~~(j) have a label affixed in a prominent location~~

21 (4) An ignition interlock device provider shall include in any lease agreement for an ignition interlock
22 device a warning that a person who knowingly tampers with, circumvents, or otherwise misuses the device is
23 subject to criminal prosecution."

24
25 **Section 3.** Section 61-8-442, MCA, is amended to read:

26 **"61-8-442. Driving under influence of alcohol or drugs -- driving with excessive alcohol**
27 **concentration -- ignition interlock device.** (1) In addition to the punishments provided in 61-8-714 and
28 61-8-722, regardless of disposition, the court may, for a person convicted of a first offense under 61-8-401 or
29 61-8-406 and granted a probationary license, restrict the person to driving only a motor vehicle equipped with
30 a functioning ignition interlock device during the period that the person is granted a probationary license and

1 (ii) a motor vehicle operated by the person is equipped with an ignition interlock device."

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3 **Section 2.** Section 61-8-441, MCA, is amended to read:

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13 concentration equivalence;

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17 (h) operate reliably over the range of automobile environments and in connection with various
18 manufacturing standards; and

19 (i) be manufactured by a person who is adequately insured for product liability; ~~and~~

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30 a functioning ignition interlock device during the period that the person is granted a probationary license and

SENATE BILL NO..423

INTRODUCED BY LASLOVICH

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3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ALCOHOL IGNITION INTERLOCK DEVICE LAWS AND
5 LAWS GOVERNING ISSUANCE OF CERTAIN DRIVER'S LICENSES AFTER REVOCATION; REQUIRING
6 CERTAIN DRIVER'S LICENSES TO CONVEY THE TERM OF PROBATION RESTRICTIONS IMPOSED ON
7 THE LICENSEE FOR OPERATION OF A MOTOR VEHICLE; REQUIRING AN ALCOHOL IGNITION
8 INTERLOCK DEVICE PROVIDER TO INCLUDE IN A LEASE AGREEMENT A WARNING REGARDING
9 TAMPERING WITH OR MISUSE OF THE DEVICE; REMOVING ~~CERTAIN CONDITIONS~~ A CONDITION
10 UNDER WHICH A COURT MAY RESTRICT A PERSON TO DRIVING ONLY A MOTOR VEHICLE WITH AN
11 IGNITION INTERLOCK DEVICE; AND AMENDING SECTIONS 61-5-208, 61-8-441, AND 61-8-442, MCA."
12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14

15 Section 1. Section 61-5-208, MCA, is amended to read:

16 "61-5-208. Period of suspension or revocation -- probationary license -- ignition interlock device
17 allowed on first offense restrictions -- notation on driver's license. (1) The department may not suspend
18 or revoke a driver's license or privilege to drive a motor vehicle on the public highways, except as permitted by
19 law.

20 (2) (a) Except as provided in 61-2-302, a person whose license or privilege to drive a motor vehicle on
21 the public highways has been suspended or revoked may not have the license, endorsement, or privilege
22 renewed or restored until the revocation or suspension period has been completed.

23 (b) When a person is convicted or forfeits bail or collateral not vacated for a first offense of operating
24 or being in actual physical control of a motor vehicle while under the influence of alcohol or any drug or a
25 combination of alcohol or drugs or for a first offense of operation of a motor vehicle by a person with alcohol
26 concentration of 0.08 or more, the department shall, upon receiving a report of conviction or forfeiture of bail or
27 collateral not vacated, suspend the driver's license or driving privilege of the person for a period of 6 months.
28 Upon receiving a report of a conviction or forfeiture of bail or collateral for a second, third, or subsequent offense
29 within 5 years of the first offense, the department shall suspend the license or driving privilege of the person for
30 a period of 1 year and may not issue a probationary license during the period of suspension. If the 1-year

1 suspension period passes and the person has not completed a chemical dependency education course,
2 treatment, or both, as ordered by the sentencing court, the license suspension remains in effect until the course,
3 treatment, or both, are completed.

4 (c) For the purposes of subsection (2)(b), a person is considered to have committed a second, third,
5 or subsequent offense if fewer than 5 years have passed between the date of an offense that resulted in a prior
6 conviction and the date of the offense that resulted in the most recent conviction.

7 (3) (a) If the person pays the reinstatement fee required in 61-2-107 and provides the department proof
8 of compliance with an ignition interlock restriction imposed under 61-8-442, the department shall stay the license
9 suspension of a person who has been convicted of a first violation of 61-8-401 or 61-8-406 and return the
10 person's driver's license. The stay must remain in effect until the period of suspension has expired and any
11 required chemical dependency education course, treatment, or both, have been completed.

12 (b) If the department receives notice from a court, peace officer, or ignition interlock vendor that the
13 person has violated the court-imposed ignition interlock restriction by, including but not limited to operating a
14 motor vehicle not equipped with the device, tampering with the device, or removing the device before the period
15 of restriction has expired, the department shall lift the stay and reinstate the license suspension for the remainder
16 of the time period. The department may not issue a probationary driver's license to a person whose license
17 suspension has been reinstated because of violation of an ignition interlock restriction.

18 (4) (a) Except as provided in subsection (4)(b), the period of suspension or revocation for a person
19 convicted of any offense that makes mandatory the suspension or revocation of the person's driver's license
20 commences from the date of conviction or forfeiture of bail.

21 (b) A suspension commences from the last day of the prior suspension or revocation period if the
22 suspension is for a conviction of driving with a suspended or revoked license.

23 (5) If a person is convicted of a violation of 61-8-401 or 61-8-406 while operating a commercial motor
24 vehicle, the department shall suspend the person's driver's license as provided in 61-8-802.

25 (6) (a) A driver's license that is issued after a license revocation to a person described in subsection
26 (6)(b) must be clearly marked with a notation that conveys the term of the person's probation restrictions.

27 (b) The provisions of subsection (6)(a) apply to a license issued to a person for whom a court has
28 reported a felony conviction under 61-8-731, the judgment for which has as a condition of probation that the
29 person may not operate a motor vehicle unless:

30 (i) operation is authorized by the person's probation officer; or

1 require the person to pay the reasonable cost of leasing, installing, and maintaining the device if:
2 ~~(a) the court determines that approved ignition interlock devices are reasonably available; and~~
3 ~~(b) the person's blood alcohol concentration at the time of the arrest was 0.16 or greater~~ IF THE PERSON'S
4 BLOOD ALCOHOL CONCENTRATION AT THE TIME OF THE ARREST WAS 0.16 OR GREATER.

5 (2) If a person is convicted of a second or subsequent violation of 61-8-401 or 61-8-406, in addition to
6 the punishments provided in 61-8-714 and 61-8-722, regardless of disposition, the court shall order that each
7 motor vehicle owned by the person at the time of the offense be either:

- 8 (a) seized and subjected to the forfeiture procedure provided under 61-8-421; or
- 9 (b) during the 12-month period beginning with the end of the period of driver's license revocation,
10 equipped with a functioning ignition interlock device and require the person to pay the reasonable cost of leasing,
11 installing, and maintaining the device ~~if the court determines that approved ignition interlock devices are~~
12 ~~reasonably available.~~

13 (3) Any restriction imposed under this section must be included in a report of the conviction made by
14 the court to the department in accordance with 61-11-101 and placed upon the person's driving record
15 maintained by the department in accordance with 61-11-102.

16 (4) The duration of a restriction imposed under this section must be monitored by the department."
17

- END -

1 require the person to pay the reasonable cost of leasing, installing, and maintaining the device if:
2 ~~(a) the court determines that approved ignition interlock devices are reasonably available; and~~
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4 BLOOD ALCOHOL CONCENTRATION AT THE TIME OF THE ARREST WAS 0.16 OR GREATER.

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14 the court to the department in accordance with 61-11-101 and placed upon the person's driving record
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16 (4) The duration of a restriction imposed under this section must be monitored by the department."

17 - END -

1 suspension period passes and the person has not completed a chemical dependency education course,
2 treatment, or both, as ordered by the sentencing court, the license suspension remains in effect until the course,
3 treatment, or both, are completed.

4 (c) For the purposes of subsection (2)(b), a person is considered to have committed a second, third,
5 or subsequent offense if fewer than 5 years have passed between the date of an offense that resulted in a prior
6 conviction and the date of the offense that resulted in the most recent conviction.

7 (3) (a) If the person pays the reinstatement fee required in 61-2-107 and provides the department proof
8 of compliance with an ignition interlock restriction imposed under 61-8-442, the department shall stay the license
9 suspension of a person who has been convicted of a first violation of 61-8-401 or 61-8-406 and return the
10 person's driver's license. The stay must remain in effect until the period of suspension has expired and any
11 required chemical dependency education course, treatment, or both, have been completed.

12 (b) If the department receives notice from a court, peace officer, or ignition interlock vendor that the
13 person has violated the court-imposed ignition interlock restriction by, including but not limited to operating a
14 motor vehicle not equipped with the device, tampering with the device, or removing the device before the period
15 of restriction has expired, the department shall lift the stay and reinstate the license suspension for the remainder
16 of the time period. The department may not issue a probationary driver's license to a person whose license
17 suspension has been reinstated because of violation of an ignition interlock restriction.

18 (4) (a) Except as provided in subsection (4)(b), the period of suspension or revocation for a person
19 convicted of any offense that makes mandatory the suspension or revocation of the person's driver's license
20 commences from the date of conviction or forfeiture of bail.

21 (b) A suspension commences from the last day of the prior suspension or revocation period if the
22 suspension is for a conviction of driving with a suspended or revoked license.

23 (5) If a person is convicted of a violation of 61-8-401 or 61-8-406 while operating a commercial motor
24 vehicle, the department shall suspend the person's driver's license as provided in 61-8-802.

25 (6) (a) A driver's license that is issued after a license revocation to a person described in subsection
26 (6)(b) must be clearly marked with a notation that conveys the term of the person's probation restrictions.

27 (b) The provisions of subsection (6)(a) apply to a license issued to a person for whom a court has
28 reported a felony conviction under 61-8-731, the judgment for which has as a condition of probation that the
29 person may not operate a motor vehicle unless:

30 (i) operation is authorized by the person's probation officer; or

