EXHIBIT 2
DATE 3/24/2011
SB 631

Administrative Consequences Following Conviction for DUI / BAC

1st Offense Conviction for DUI / BAC
- ✓ Six Month Driver License Suspension
- ✓ Recommendation from the Court
- ✓ $200 Driver License Reinstatement Fee
- ✓ Probationary Driver License (Essential Driving Purpose)
  »Interlock-Restricted License *Only* if Ordered by Court

2nd or Subsequent (Non-Felony) Conviction for DUI / BAC
- ✓ One Year Driver License Suspension
- ✓ Recommendation from the Court
- ✓ $200 Driver License Reinstatement Fee
- ✓ Any Court of Limited Jurisdiction: Interlock-Restricted Driver License
- ✓ DUI Court / Sobriety Program: Probationary Driver License

Felony DUI / BAC Convictions
- ✓ Driver License Revocation – Felony in a Motor Vehicle
- ✓ Court Ordered Sentencing Conditions: Incarceration and Treatment
- ✓ Reinstatement Fees – Driver License Fees and Tests
- ✓ Probation Officer Authorization; Interlock-Restricted Driver License
- ✓ Term of Interlock Restriction Ends with Completion of Probation
- ✓ Driver License Clearly Marked – Otherwise Meet Requirements - MCA § 61-2-302

Also Changed

MCA § 61-5-208 – The 45-day "hard" suspension period after 2nd or subsequent conviction for DUI / BAC is eliminated. Also the one-year driver license suspension for these offenders will no longer be conditioned on the presentation of proof of completion of treatment to the Motor Vehicle Division. If an offender fails to satisfy provisions of criminal sentence, including but not limited to chemical dependency treatment, the court may request an indefinite driver license suspension through an alternate administrative process. The courts are very familiar with this process and routinely use it for offenders who fail to comply with terms of a criminal sentence.

See, MCA § 61-5-214, Mandatory Suspension for Failure to Appear or Comply.

MCA § 61-5-212 – Driving While License Suspended or Revoked; there are consequences for criminal sentencing, including mandatory jail time, but no additional one year period added to a period of driver license suspension.