

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2479

As Amended by Senate Committee on Judiciary

Brief*

HB 2479, as amended, would amend administrative restrictions applicable to driving under the influence (DUI) and related offenses to extend for three years, until July 1, 2018, the sunset date for a provision requiring the use of a breath alcohol ignition interlock device after the first test failure or conviction.

Background

As part of a comprehensive DUI reform package, 2011 House Sub. for SB 6 added an ignition interlock restriction as a required administrative penalty for a first test failure or first DUI-related conviction. The provision included a July 1, 2015, sunset date, so that through June 30, 2015, for a first occurrence, driving privileges are suspended for 30 days for any first-time offender, followed by a 180-day ignition interlock restriction, or a one-year ignition interlock restriction for an offender with certain previous violations on the offender's record. Under current law, on and after July 1, 2015, the penalty for a first occurrence will return to the former provision, which was a 30-day suspension and a 330-day restriction to driving for certain purposes, with an ignition interlock option.

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of a representative of Mothers Against Drunk Driving (MADD) Kansas. As introduced, the bill would have removed the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

sunset date entirely. In the House Committee, a representative of the Kansas County and District Attorneys Association and MADD Kansas and a representative of the Kansas Ignition Interlock Association testified in support of the bill. There was no opponent testimony.

The House Committee amended the bill to extend the sunset date for five years, until July 1, 2020, instead of removing it entirely.

In the Senate Committee on Judiciary, the same conferees testified. The Senate Committee amended the bill to extend the sunset date for three years, until July 1, 2018.

According to the fiscal note provided by the Division of the Budget on the bill, the Department of Revenue expects, if the bill is not enacted, negligible increases in expenditures for FY 2015 in order to educate its business staff and incorporate old rules related to driver's license restrictions for DUI violations.