

JAN 12 1999  
JUDICIARY

HOUSE FILE  
BY HEATON

31

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the penalty for a first-time operating while  
2 intoxicated violation when the defendant installs an ignition  
3 interlock device.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 31

1 Section 1. Section 321J.2, subsection 2, paragraph a,  
2 subparagraph (2), Code 1999, is amended to read as follows:

3 (2) Assessment of a fine of one thousand dollars.  
4 ~~However, in the discretion of the court, if no personal or~~  
5 ~~property injury has resulted from the defendant's actions~~ If  
6 the defendant agrees to install an ignition interlock device  
7 and submits proof of such installation, the court may waive up  
8 to five hundred dollars of the fine ~~may be waived~~. As an  
9 alternative to a portion or all of the fine, the court may  
10 order the person to perform unpaid community service.

11 EXPLANATION

12 This bill amends the penalty provisions for a first offense  
13 of operating while intoxicated. The bill removes the  
14 discretion for the judge to waive up to \$500 of the \$1,000  
15 fine if no personal injury or property damage occurs, and  
16 replaces it with a provision that allows the court to waive  
17 half of the \$1,000 fine if the defendant installs an ignition  
18 interlock device.

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