## House File 483 - Introduced

Passed House, Date				
A BILL FOR  1 An Act relating to first offense operating-while-intoxicated 2 offenses and the installation of ignition interlock devices. 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 4 TLSB 2404YH 83 5 rh/nh/24  PAG LIN  1 Section 1. Section 321J.2, subsection 2, paragraph a, 1 2 subparagraph (3), subparagraph division (a), Code 2009, is 1 3 amended to read as follows: 4 (a) A defendant whose alcohol concentration is .08 or more 1 5 but not more than .10 shall not be eligible for any temporary 1 6 restricted license for at least thirty days if a test was 1 7 obtained and an accident resulting in personal injury or 1 8 property damage occurred. The defendant shall be ordered to 1 9 install an ignition interlock device of a type approved by the 1 10 commissioner of public safety on all vehicles owned or 1 11 operated by the defendant if the defendant seeks a temporary 1 12 restricted license. There shall be no such period of 1 13 ineligibility if no such accident occurred, and the defendant 1 14 shall not be ordered to install an ignition interlock device. 1 15 In either case, the defendant shall be ordered to install an 1 16 ignition interlock device of a type approved by the 1 17 commissioner of public safety on all vehicles owned or 1 18 operated by the defendant if the defendant is not interlock device. 2 Sect 2. Section 321J.4, subsection 1, paragraph a, Code 2 2009, is amended to read as follows: 2 a. A defendant whose alcohol concentration is .08 or more 2 3but not more than .10 shall not be eligible for any temporary 2 4 restricted license. 2 5 obtained and an accident resulting in personal injury or 2 120 poperated by the defendant if the defendant seeks a temporary 2 121 rinstall an ignition interlock device of a type approved by the 2 1 operated by the defendant if the defendant seeks a temporary 3 in eligibility if no such accident occurred, and the defendant 4 12 commissioner of public safety on all vehicles owned or 4 20 operated by the defendant if the defendant seeks a temporary 4				
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2 2 restricted license. 2 3 Sec. 3. Section 321J.4, subsection 3, paragraph a, Code 2 4 2009, is amended to read as follows: 2 5 a. A defendant whose alcohol concentration is .08 or more 2 6 but not more than .10 shall not be eligible for any temporary 2 7 restricted license for at least thirty days if a test was 2 8 obtained and an accident resulting in personal injury or 2 9 property damage occurred. The defendant shall be ordered to				
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2 6 but not more than .10 shall not be eligible for any temporary 2 7 restricted license for at least thirty days if a test was 2 8 obtained and an accident resulting in personal injury or 2 9 property damage occurred. The defendant shall be ordered to	2	4	2009, is amended to read as follows:	
2 8 obtained and an accident resulting in personal injury or 2 9 property damage occurred. The defendant shall be ordered to				
2 9 property damage occurred. The defendant shall be ordered to				
2 10 Install an ignition interiork device of a type approved by the		9	property damage occurred. The defendant shall be ordered to	
2 11 commissioner of public safety on all vehicles owned or	2	11	commissioner of public safety on all vehicles owned or	
2 12 operated by the defendant if the defendant seeks a temporary 2 13 restricted license. There shall be no such period of	$\frac{2}{}$	13	<del>restricted license.</del> There shall be no such period of	
2 14 ineligibility if no such accident occurred, and the defendant 2 15 shall not be ordered to install an ignition interlock device.	2	14	ineligibility if no such accident occurred, and the defendant	
2 16 <u>In either case, the defendant shall be ordered to install an</u>	2	16	In either case, the defendant shall be ordered to install an	
2 17 ignition interlock device of a type approved by the 2 18 commissioner of public safety on all vehicles owned or	2	18	commissioner of public safety on all vehicles owned or	
2 19 operated by the defendant if the defendant seeks a temporary 2 20 restricted license.				

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2 21 Sec. 4. Section 321J.12, subsection 2, paragraph a, Code 2 22 2009, is amended to read as follows:
2 23
        a. A person whose driver's license or nonresident
2 24 operating privileges have been revoked under subsection 1, 2 25 paragraph "a", whose alcohol concentration is .08 or more but
2 26 not more than .10 shall not be eligible for any temporary
  27 restricted license for at least thirty days after the
2 28 effective date of the revocation if a test was obtained and an
2 29 accident resulting in personal injury or property damage
2 30 occurred. The defendant shall be ordered to install an
  31 ignition interlock device of a type approved by the
2 32 commissioner of public safety on all vehicles owned or
2 33 operated by the defendant if the defendant seeks a temporary
  34 license. There shall be no such period of ineligibility if no
2 35 such accident occurred, and the defendant shall not be ordered
  1 to install an ignition interlock device. In either case, the
   2 defendant shall be ordered to install an ignition interlock
   3 device of a type approved by the commissioner of public safety
  4 on all vehicles owned or operated by the defendant if the
   5 defendant seeks a temporary restricted license.
                                 EXPLANATION
        This bill requires a defendant who has been convicted of a
3 8 first offense operating=while=intoxicated offense, has
   9 received a deferred judgment for a first offense
3 10 operating=while=intoxicated offense, or whose driver's license
3 11 or nonresident operating privilege has been revoked for the
3 12 first time for a failure of a chemical test, to install an
3 13 ignition interlock device of a type approved by the
3 14 commissioner of public safety on all vehicles owned or
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3 15 operated by the defendant if the defendant seeks a temporary

3 16 license. Current law provides that such defendants who are 3 17 not involved in an accident resulting in personal injury or 3 18 property damage do not have to install ignition interlock 3 19 devices.
3 20 LSB 2404YH 83
3 21 rh/nh/24