

STATEMENT OF PURPOSE

RS31051 / S1278

This bill seeks to remedy a defect in the law identified by the Supreme Court in its annual report to the Governor required by article V, section 25 of the Idaho Constitution. Idaho Code § 18-8005(1) sets forth the penalties for first time driving under the influence offenses. Specifically, I.C. § 18-8005(1)(d) requires the court to suspend an offender's driving privileges for thirty (30) days and prohibits the granting of driving privileges of any kind during this period of absolute suspension. This subsection also mandates that, at the conclusion of the thirty (30) day period of absolute suspension, the court must suspend the offender's driving privileges for an additional sixty (60) to one hundred fifty (150) days and allows the court to grant restricted driving privileges during this additional period of suspension. I.C. § 18-8005(1)(e) then requires the offender to have an ignition interlock system installed on all vehicles operated by him within ten (10) days following the end of the "mandatory" suspension. Since this statute mandates both an absolute thirty (30) day suspension and an additional sixty (60) to one hundred fifty (150) day suspension, the ignition interlock requirement is interpreted and applied differently throughout the state. Accordingly, this bill clarifies that the Legislature intends for the ignition interlock requirement to begin within ten (10) days following the end of the initial thirty (30) day period of absolute suspension.

FISCAL NOTE

This proposed amendment will have no fiscal impact upon the General Fund, any other state fund, or local governments. The proposed amendment simply clarifies the Legislature's intention regarding the timing of this ignition interlock requirement, and it will cause neither an increase nor decrease in existing or future appropriations or revenues.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).