

April 13, 2009

H 1489. IGNITION INTERLOCK-ALL DWI OFFENDERS. Filed 4/9/09. *TO REQUIRE ANYONE WHO IS CONVICTED OF DRIVING WHILE IMPAIRED, DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, OR ANY OTHER IMPAIRED DRIVING OFFENSE, OR ANY PERSON WHO REFUSES A CHEMICAL ANALYSIS, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THEY MAY DRIVE BEFORE THEY CAN GET A LIMITED DRIVING PRIVILEGE.*

Amends GS 20-16.2(c1) to require the submission of an affidavit regarding chemical analysis test for those charged with implied-consent violation when a person has an alcohol concentration of 0.08 or more (was, 0.15 or more). Amends GS 20-16.2(e1) to require all vehicles a person is authorized to drive to be equipped with an ignition interlock system prior to issuance of limited driving privilege. Amends GS 20-17.8 to require ignition interlock systems for all persons convicted of driving while impaired or who refused to submit to a chemical analysis and to persons whose license was revoked as the result of a conviction of driving by a person under the age of 21 after consuming alcohol or drugs. Requires proof of installation and provides for revocation of license if system is disabled or removed. Makes conforming amendments. Effective December 1, 2009, and applies to offenses committed on or after that date.

Intro. by Harrell.

GS 20

May 13, 2009

H 1489. IGNITION INTERLOCK—ALL DWI OFFENDERS. Filed 4/9/09. House committee substitute makes the following changes to 1st edition. Enacts new GS 20-179.5 to require that all of the costs incurred in order to comply with the ignition interlock requirements imposed by the court under Article 3 be paid by the person ordered to have the system installed. Authorizes the Division of Motor Vehicles (DMV) to assess an ignition interlock administrative fee of not less than \$30 and no more than \$60 on any ignition interlock installed by a private vendor pursuant to Article 3. Fee is to be collected by the vendor installing the ignition interlock system at the time of installation. Directs the vendor to remit the collected fees to the DMV on a quarterly basis. Provides that 50% of the money collected to be used to pay for administrative costs incurred by the DMV and the remaining 50% be deposited in the Ignition Interlock Device Fund.

Creates the Ignition Interlock Device Fund in the Department of Transportation to be used to pay the costs of installing and removing ignition interlock devices on vehicles of persons deemed indigent by the court. Requires the person deemed indigent to agree to pay the required costs for monitoring of the system as a condition of assistance from the DMV for installation cost.

Makes a conforming change to the title.