



SENATE BILL 135: Modify Habitual Impaired Driving Statute

2013-2014 General Assembly

Committee: Senate Judiciary I
Introduced by: Sen. Brunstetter
Analysis of: First Edition

Date: March 19, 2013
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SUMMARY: *Senate Bill 135 would modify the offense of habitual impaired driving by removing the 10 year limitation on prior convictions.*

CURRENT LAW: A person is guilty of habitual impaired driving if they commit the offense of impaired driving and have 3 or more prior convictions of impaired driving within 10 years of the new offense. Habitual impaired driving is punishable as a Class F felony and requires a minimum 12 month active sentence. A conviction under this statute also results in a permanent license revocation.

BILL ANALYSIS: Senate Bill 135 would remove the 10 year limitation within which the prior 3 offenses must occur for habitual impaired driving to be charged. A 4th or subsequent impaired driving conviction would result in a habitual impaired driving charge, regardless of the length of time over which the first 3 convictions occurred.

EFFECTIVE DATE: This act becomes effective December 1, 2013, and applies to offenses committed on or after that date.

