

HB 3005 A STAFF MEASURE SUMMARY

Carrier: Rep. Barker

House Committee On Judiciary**Action Date:** 04/04/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 11-0-0-0**Yeas:** 11 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Power, Sprenger, Stark, Williamson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Michael Lantz, Counsel**Meeting Dates:** 3/21, 4/4**WHAT THE MEASURE DOES:**

Modifies statutes relating to ignition interlock devices. Defines ignition device service center and manufacturer's representative. Increases percent blood alcohol level needed to trigger failed interlock device test report. Clarifies criminal background check requirements for interlock device technicians. Directs creation of process to contest negative report. Expands ability of State Police to assess fees. Declares emergency, effective July 1, 2019.

ISSUES DISCUSSED:

- Need for oversight of interlock ignition device representatives and service centers
- Upcoming transfer of responsibility from Oregon Department of Transportation to the Department of State Police
- Costs associated with interlock ignition devices
- Clarification of blood alcohol level standards

EFFECT OF AMENDMENT:

Provides further clarification to blood alcohol level standard and background check requirements. Removes new requirement that device be tested yearly.

BACKGROUND:

In 2017, the Legislative Assembly passed House Bill 2638, which set standards for the installation and maintenance of interlock ignition devices (IID). These devices are installed in a person's vehicle after that individual is convicted of driving under the influence of intoxicants (DUII) or enters a DUII diversion program. The IID prevents a person from starting his or her vehicle if the device detects the presence of alcohol in a person's breath. The presence of alcohol also triggers a negative report from the device, which goes to the device service center and ultimately to the court. IIDs are provided and installed by private companies with oversight from the Oregon Department of Transportation (ODOT). This oversight authority will transfer from ODOT to the Department of State Police on July 1, 2019

House Bill 3005 A defines and clarifies the responsibilities of an IID manufacturer's representative and an IID service center and changes the percent blood alcohol level needed to trigger a negative report from .00 to .02 to conform with national best practice standards. It also clarifies the background check standards for IID technicians, expands the Department of State Police's ability to assess fees to fund the program, and directs the Department of State Police to develop a process by which an individual can contest a negative report.