1   **AMENDMENTS TO IGNITION INTERLOCK PROGRAM**

2   2013 GENERAL SESSION

3   STATE OF UTAH

4   **Chief Sponsor: Daniel W. Thatcher**

5   House Sponsor: Johnny Anderson

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7   **LONG TITLE**

8   **General Description:**

9   This bill modifies the Uniform Driver License Act by amending provisions relating to

10   the ignition interlock program.

11   **Highlighted Provisions:**

12   This bill:

13   ▸   provides that the Driver License Division may only clear the suspension for an

14   ignition interlock violation if the division electronically verifies that the person does

15   not have a vehicle registered in the person's name in the state of Utah, rather than a

16   vehicle registered in any state; and

17   ▸   makes technical changes.

18   **Money Appropriated in this Bill:**

19   None

20   **Other Special Clauses:**

21   None

22   **Utah Code Sections Affected:**

23   AMENDS:

24   **53-3-1007**, as enacted by Laws of Utah 2011, Chapter 421

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26   *Be it enacted by the Legislature of the state of Utah:*

27   Section 1. Section **53-3-1007** is amended to read:

28   **53-3-1007.   Ignition interlock system provider -- Notification to the division upon**

29   **installation or removal of an ignition interlock system -- License suspension or revocation**

30   **for failure to install or remove.**

31   (1) An ignition interlock system provider who installs an ignition interlock system on a

32   person's vehicle shall:

33   (a) provide proof of installation to the person; and

34   (b) electronically notify the division of installation of an ignition interlock system on

35   the person's vehicle.

36   (2) [A] An ignition interlock system provider shall electronically notify the division if a

37   person has removed an ignition interlock system from the person's vehicle.

38   (3) If an individual is an interlock restricted driver, the division shall:

39   (a) suspend the person's driving privilege for the duration of the restriction period as

40   defined in Section 41-6a-518.2;

41   (b) notify the person of the suspension period in place and the requirements for

42   reinstatement of the driving privilege with respect to the ignition interlock restriction

43   suspension; and

44   (c) clear the suspension upon:

45   (i) receipt of payment of the fee or fees specified in Section 53-3-105; and

46   (ii) (A) receipt of electronic notification from an ignition interlock system provider

47   showing proof of the installation of an ignition interlock system on the person's vehicle; or

48   (B) electronically verifying that the person does not have a vehicle registered in the

49   person's name in the state of Utah.

50   (4) By following the emergency procedures in Title 63G, Chapter 4, Administrative

51   Procedures Act, the division shall suspend the license of any person without hearing and

52   without receiving a record of the person's conviction of crime seven days after receiving

53   electronic notification from [a] an ignition interlock system provider that a person has removed

54   an ignition interlock system from the person's vehicle if the person is an interlock restricted

55   driver until:

56   (a) the division:

57   (i) receives payment of the fee or fees specified in Section 53-3-105; and

58   (ii) (A) receives electronic notification from an ignition interlock system provider

59   showing new proof of the installation of an ignition interlock system; or

60   (B) electronically verifies that the person does not have a vehicle registered in the

61   person's name in the state of Utah; or

62   (b) the person's interlock restricted period has expired.

63   (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

64   division shall make rules establishing:

65   (a) procedures for certification and regulation of ignition interlock system providers;

66   (b) acceptable documentation for proof of the installation of an ignition interlock

67   device;

68   (c) procedures for an ignition interlock system provider to electronically notify the

69   division; and

70   (d) policies and procedures for the administration of the ignition interlock system

71   program created under this section.