

H.B. 178 - LIMITED DRIVER LICENSE AMENDMENTS (STODDARD)

The problem:

- Currently, when someone is arrested for a first-time DUI, their license is suspended for 120 days. This makes it more difficult for them to keep a job, attend treatment, and maintain pro-social relationships, especially in rural areas.
- Studies show that these factors significantly affect whether a person will reoffend. Studies also show that automatic license suspensions are ineffective in reducing drunk driving rates.
- Despite being informed of a license suspension, approximately 75% of DUI offenders continue to drive on suspended licenses.¹

Solution:

- HB 178 would allow a person to reinstate their license on a first-time, alcohol-only DUI if they provide proof to the DLD that they have installed an interlock device on any vehicle driven by them. It also raises criminal penalties for second and subsequent violations of interlock laws.
- By allowing people to keep their licenses on first-time DUIs if they install an interlock device, we increase public safety by ensuring that they don't drive while intoxicated and helping them maintain employment, attend treatment, and maintain involvement in family and pro-social activities.

Research Shows DUI Automatic License Suspension Laws Do Not Decrease Drunk Driving

- Automatic DUI suspension laws have no statistical significance in reducing drunk driving.²
- 50 state study showed no clear evidence that DUI suspension laws provide an effective reduction in drunk driving.³
- Pre- and post-DUI suspension laws study showed no significant statistical difference in drunk driving following implementation.⁴

Recidivism Rates Go Up When Individuals Are Unemployed

- Unemployed individuals are 2.8 to 4.8 times more likely to drive drunk.⁵
- Offenders have a 50.6% recidivism rate when unemployed (all categories, not DUI-specific).⁶

¹ H. Laurence Ross and Phillip Gonzales, Effects of License Revocation on Drunk-Driving Offenders

² Emily M. Stout et al, Reducing Harmful Alcohol-Related Behaviors: Effective Regulatory Methods, 1999

³ Daniel Eisenberg, Evaluating the Effectiveness of Policies Related to Drunk Driving, 2003

⁴ Steve R. Darnell, One Small Problem with Administrative Driver's License Suspension Laws: They Don't Reduce Drunken Driving, 2015

⁵ The Association between Social Determinants and Drunken Driving: A 15-Year Register-based Study of 81,125 Suspects

⁶ Post-Release Recidivism and Employment among Different Types of Released Offenders: A 5-Year follow-up Study in the United States, 2014

Rehabilitation and Ignition Interlocks Are More Effective at Reducing Recidivism and Ensuring Safety

- In a study on New Mexico ignition interlock laws, high BAC first offenders who had interlocks installed had an overall 39% lower recidivism rate than the first offenders who did not install interlocks.⁷
- A 1998 study on ignition interlock devices in Alberta, Canada found that first and second time offenders enrolled in the interlock program had recidivism rates one-third to one-tenth that of comparable non-participants.⁸
- A 1999 study on recidivism rates found that participants in interlock programs were 15%-69% less likely to be re-arrested for DUIs than those in control groups⁹
- A 2012 NHTSA study on the New Mexico Interlock Program found that while tampering with and circumventing the interlock devices pose serious concerns, cases involving tampering or circumvention are few.¹⁰

A Majority of DUI Offenders in Utah Do Not Reoffend

- CCJJ's 2019 DUI report shows that 71% of DUI arrests are for first-time offenders.¹¹

Public Awareness Account for a Most of ALS Law's Effectiveness but Wears Off After Four Years

- DUI rates return to pre-ALS rates after media coverage and public awareness diminish (typically 4 years after passage).¹²

⁷ National Highway Traffic Safety Administration, Case Studies of Ignition Interlock Programs, 2012

⁸ Voas et al., The Alberta Interlock Program: The Evaluation of a Province-wide Program on DUI Recidivism, 1998

⁹ Jeffrey Coben and Gregory Larkin, Effectiveness of Ignition Interlock Devices in Reducing Drunk Driving Recidivism, 1999

¹⁰ National Highway Traffic Safety Administration, Case Studies of Ignition Interlock Programs, 2012

¹¹ Commission on Criminal and Juvenile Justice, 17th Annual DUI Report to the Utah Legislature, 2019

¹² Steve R. Darnell, One Small Problem with Administrative Driver's License Suspension Laws: They Don't Reduce Drunken Driving, 2015