

245 **53-3-1006. Licenses -- Cancellation, revocation, or refusal to issue or renew --**
 246 **Ineligibility for license.**

247 (1) The department may cancel, revoke, or refuse to issue or renew an ignition
 248 interlock system provider or installer license if it finds that the licensee or applicant has not
 249 complied with or has violated this part or any rule made by the division.

250 (2) A licensee:

251 (a) shall return a canceled or revoked license to the division; and

252 (b) is not eligible to apply for a license under this part until six months have elapsed
 253 since the date of a cancellation or revocation under this section.

254 Section 8. Section **53-3-1007** is enacted to read:

255 **53-3-1007. Ignition interlock system provider -- Notification to the division upon**
 256 **installation or removal of an ignition interlock system -- License suspension or revocation**
 257 **for failure to install or remove.**

258 (1) An ignition interlock system provider who installs an ignition interlock system on a
 259 person's vehicle shall:

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

261 (b) electronically notify the division of installation of an ignition interlock system on
 262 the person's vehicle.

263 (2) A provider shall electronically notify the division if a person has removed an
 264 ignition interlock system from the person's vehicle.

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

266 (a) suspend the person's driving privilege for the duration of the restriction period as
 267 defined in Section 41-6a-518.2;

268 (b) notify the person of the suspension period in place and the requirements for
 269 reinstatement ~~§~~→ [of] of the driving privilege with respect to ←~~§~~ the ignition interlock
 269a restriction suspension; and

270 (c) ~~§~~→ [reinstate] clear ←~~§~~ the suspension upon:

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

272 (ii) (A) receipt of electronic notification from an ignition interlock system provider
 273 showing proof of the installation of an ignition interlock system on the person's vehicle; or

274 (B) electronically verifying that the person does not have a vehicle registered in the
 275 person's name.

276 (4) By following the emergency procedures in Title 63G, Chapter 4, Administrative
 277 Procedures Act, the division shall suspend the license of any person without hearing and
 278 without receiving a record of the person's conviction of crime seven days after receiving
 279 electronic notification from a provider that a person has removed an ignition interlock system
 280 from the person's vehicle if the person is an interlock restricted driver until:

281 (a) the division:

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

283 (ii) (A) receives electronic notification from an ignition interlock system provider
 284 showing new proof of the installation of an ignition interlock system; or

285 (B) electronically verifies that the person does not have a vehicle registered in the
 286 person's name; or

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

288 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 289 division shall make rules establishing:

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

291 (b) acceptable documentation for proof of the installation of an ignition interlock
 292 device;

293 (c) procedures for an ignition interlock system provider to electronically notify the
 294 division; and

295 (d) policies and procedures for the administration of the ignition interlock system
 296 program created under this section.

297 Section 9. Section **53-3-1008** is enacted to read:

298 **53-3-1008. Violations -- Penalties.**

299 A violation of ~~§~~→ **[this part] the requirement under this part to be licensed as an**
 299a **ignition interlock system provider or installer** ←~~§~~ is a class C misdemeanor.

300 Section 10. **Effective date.**

301 This bill takes effect on July 1, 2012.

Legislative Review Note
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Office of Legislative Research and General Counsel