

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 **Committee Note:**

9 The Transportation Interim Committee recommended this bill.

10 **General Description:**

11 This bill modifies the Uniform Driver License Act by amending provisions relating to  
12 the ignition interlock program.

13 **Highlighted Provisions:**

14 This bill:

15 ► provides that the Driver License Division may only clear the suspension for an  
16 ignition interlock violation if the division electronically verifies that the person does  
17 not have a vehicle registered in the person's name in the state of Utah, rather than a  
18 vehicle registered in any state; and

19 ► makes technical changes.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **53-3-1007**, as enacted by Laws of Utah 2011, Chapter 421

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

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

30 **53-3-1007. Ignition interlock system provider -- Notification to the division upon**  
31 **installation or removal of an ignition interlock system -- License suspension or revocation**  
32 **for failure to install or remove.**

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

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

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

38 (2) [~~A~~] An ignition interlock system provider shall electronically notify the division if a  
39 person has removed an ignition interlock system from the person's vehicle.

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

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

43 (b) notify the person of the suspension period in place and the requirements for  
44 reinstatement of the driving privilege with respect to the ignition interlock restriction  
45 suspension; and

46 (c) clear the suspension upon:

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

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

50 (B) electronically verifying that the person does not have a vehicle registered in the  
51 person's name in the state of Utah.

52 (4) By following the emergency procedures in Title 63G, Chapter 4, Administrative  
53 Procedures Act, the division shall suspend the license of any person without hearing and  
54 without receiving a record of the person's conviction of crime seven days after receiving  
55 electronic notification from [~~a~~] an ignition interlock system provider that a person has removed  
56 an ignition interlock system from the person's vehicle if the person is an interlock restricted  
57 driver until:

58 (a) the division:

- 59 (i) receives payment of the fee or fees specified in Section 53-3-105; and  
60 (ii) (A) receives electronic notification from an ignition interlock system provider  
61 showing new proof of the installation of an ignition interlock system; or  
62 (B) electronically verifies that the person does not have a vehicle registered in the  
63 person's name in the state of Utah; or  
64 (b) the person's interlock restricted period has expired.  
65 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
66 division shall make rules establishing:  
67 (a) procedures for certification and regulation of ignition interlock system providers;  
68 (b) acceptable documentation for proof of the installation of an ignition interlock  
69 device;  
70 (c) procedures for an ignition interlock system provider to electronically notify the  
71 division; and  
72 (d) policies and procedures for the administration of the ignition interlock system  
73 program created under this section.

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**Legislative Review Note**  
as of 10-22-12 6:49 AM

**Office of Legislative Research and General Counsel**