

2017 Regular Session

HOUSE BILL NO. 558

BY REPRESENTATIVE HODGES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Provide for judge's discretion to require ignition interlock device for
DWI offenders

1 AN ACT

2 To amend and reenact R.S. 32:668(B)(1)(b) and (c), relative to restrictive driver's licenses;
3 to provide relative to procedures following revocation or denial of driver's licenses;
4 to eliminate the waiting period for obtaining a restrictive license for refusal to submit
5 to chemical tests for intoxication; to eliminate the waiting period for obtaining a
6 restrictive license for test results showing a blood alcohol content over the legal
7 limit; to provide for the court's discretion to determine the type of restricted license
8 obtained; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:668(B)(1)(b) and (c) are hereby amended and reenacted to read
11 as follows:

12 §668. Procedure following revocation or denial of license; hearing; court review;
13 review of final order; restricted licenses

14 * * *

15 B.(1)

16 * * *

17 ~~(b) No person who has refused a chemical test for intoxication is eligible for~~
18 ~~a restricted license for the first ninety days of the suspension. When a person~~
19 ~~submits to a chemical test and the results show a blood alcohol level of 0.08 percent~~
20 ~~or above by weight, or of 0.02 percent or above if the person was under the age of~~

Present law further provides for eligibility for a restrictive driver's license after the first 30 days of a suspension for persons submitting to a chemical test and results show a blood alcohol content above the legal limit.

Present law also provides for immediate eligibility, upon proof to the Dept. of Public Safety and Corrections, for an ignition interlock restrictive license for any licensee who has had their license suspended.

Proposed law eliminates the 30 and 90 day waiting periods for a restrictive license and provides that persons will be immediately be eligible for a restrictive license.

Proposed law provides for the court's discretion to determine which type of restrictive license the licensee is issued. Proposed law further provides that the court may use several factors in proposed law or any other factor the court deems appropriate in determining the type of restrictive license to issue.

(Amends R.S. 32:668(B)(1)(b) and (c))