

CONFERENCE COMMITTEE REPORT

SB 82

2023 Regular Session

Fesi

June 6, 2023

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 82 by Senator Fesi, recommend the following concerning the Reengrossed bill:

1. That the House Committee Amendments Nos. 1 and 2 (#2903) proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 17, 2023, be rejected.
2. That the Legislative Bureau Amendments Nos. 1, 2, 3, 4, 5, 6, 7, and 8 (#1762) proposed by the Legislative Bureau and adopted by the House of Representatives on May 17, 2023, be rejected.
3. That the House Floor Amendments Nos. 1 and 6 (#3032) proposed by Representative Selders and adopted by the House of Representatives on May 25, 2023, be rejected.
4. That the House Floor Amendments Nos. 2, 3, 4, 5, 7, 8, and 9 (#3032) proposed by Representative Selders and adopted by the House of Representatives on May 25, 2023, be adopted.
5. That the House Floor Amendment (#3619) proposed by Representative Stefanski and adopted by the House of Representatives on May 25, 2023, be rejected.
6. That the House Floor Amendments Nos. 1 and 3 (#3514) proposed by Representative Muscarello and adopted by the House of Representatives on May 25, 2023, be adopted.
7. That the House Floor Amendment No. 2 (#3514) proposed by Representative Muscarello and adopted by the House of Representatives on May 25, 2023, be rejected.
8. That the following amendment to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 5, line 1, after "**department shall**" insert "**further restrict the driver's license and**" and after "**is required**" delete "**by:**" and insert "**as follows:**"

AMENDMENT NO. 2

On page 5, delete line 2 and insert the following:

"(a) One month if the ignition interlock device was installed pursuant to a first offense of any violation provided for in Subsection (B)(1) of this Section.

(b) Six months if the ignition interlock device was installed pursuant to a second or subsequent offense of any violation provided for in Subsection (B)(1) of this Section.

(2) The"

Respectfully submitted,

Senators:

Representatives:

Senator Michael "Big Mike" Fesi

Representative Rick Edmonds

Senator Patrick McMath

Representative Mark Wright

Senator Franklin J. Foil

Representative John M. Stefanski

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

MOTOR VEHICLES. Provides relative to ignition interlock devices. (8/1/23)

Report adopts House amendments to:

1. Make technical changes.

Report rejects House amendments which would have:

1. Added classes of individuals who would be eligible for the reduced fees associated with the ignition interlock device.
2. Reduced the responsibility of certain individuals to pay at least fifty percent of the fees associated with the ignition interlock device to payment of none of the fees associated with the ignition interlock device.
3. Extended the restriction time on the drivers license and period of time that the ignition interlock device is required to be installed based on the qualification of an individuals first or second offense.

Report amends the bill to:

1. Extend the restriction time on the drivers license and period of time that the ignition interlock device is required to be installed based on the qualification of an individuals first or second offense.

Digest of the bill as proposed by the Conference Committee

SB 82 Reengrossed

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Proposed law provides the Department of Public Safety and Corrections, office of state police shall promulgate rules and regulations to establish and monitor compliance with an ignition interlock affordability plan for individuals that demonstrate economic hardship who are required to install an ignition interlock device.

Proposed law establishes requirements and provides for minimum payment responsibility for individuals who attain economic hardship designation and therefore qualify for the affordability plan.

Proposed law provides an ignition interlock manufacturer or ignition interlock service center shall not refuse service to an individual that has demonstrated eligibility for the affordability plan. Proposed law further provides that an individual who has been refused service may file a complaint with the Department of Public Safety and Corrections, office of state police, applied technology unit and establishes the requirements for the investigation and appeal by an ignition interlock manufacturer or ignition interlock service center. Proposed law applies to complaints for refusal of service on or after August 1, 2024.

Present law provides for credit toward suspension time or any reinstatement requirement to not be given if the manufacturer reports to the Department of Public Safety and Corrections that any combination or a repeat of two of eight listed violations have occurred in a one-month period.

Proposed law changes the requirements for credit toward suspension from a combination or a repeat of two of eight listed violations to only one of the eight violations and the occurrence does not have to be a repeat violation.

Proposed law provides upon notice of a violation that the Department of Public Safety and Corrections is required to extend the period for the ignition interlock device by an additional one month for a first offense or an additional six months for a second offense, and further restrict the driver's license.

Present law provides any licensee who has had his license suspended for operating a motor vehicle under the influence of alcoholic beverages is eligible to apply for a restricted driver's license after a period of twelve months and upon proof that the motor vehicle has been equipped with an ignition interlock device. Proposed law removes the twelve month waiting period.

Proposed law shall be known and cited as the "Bowling, Coss, and Dufrene Drunk Driving Prevention Act".

Proposed law makes technical changes.

Effective August 1, 2023.

(Amends R.S. 32:378.2(H) and (M)(2), and 414(A)(1)(c)(ii) and (D)(1)(b), 667(B) (intro para) and (1)(b); adds R.S. 15:307.1 and R.S. 32:378.2(O))