

RÉSUMÉ DIGEST

ACT 462 (SB 82)

2023 Regular Session

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New 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.

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

New 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. New 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. New law applies to complaints for refusal of service on or after August 1, 2024.

Prior law provided 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.

New 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.

New 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.

Prior law provided 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. New law removes the twelve month waiting period.

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

New 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))