

**SENATE COMMITTEE AMENDMENTS**

2021 Regular Session

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 633 by Representative Wright

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" change "R.S. 14:98.2(A)(2)" to "R.S. 14:98.1(A)(2) and  
3 (3)(b) and 98.2(A)(2)"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "(introductory paragraph)" insert ", (i)"

6 AMENDMENT NO. 3

7 On page 1, line 5, after "(3)(a)" and before "and" insert ", (b),"

8 AMENDMENT NO. 4

9 On page 1, line 17, change "R.S. 14:98.2(A)(2)" to "R.S. 14:98.1(A)(2) and (3)(b) and  
10 98.2(A)(2)"

11 AMENDMENT NO. 5

12 On page 1, after line 18, insert the following:

13 "§98.1. Operating while intoxicated; first offense; penalties

14 A. \* \* \*

15 (2)(a) If the offender had a blood alcohol concentration of 0.15 percent or  
16 more but less than 0.20 percent by weight based on grams of alcohol per one hundred  
17 cubic centimeters of blood, at least forty-eight hours of the sentence imposed  
18 pursuant to Paragraph (1) of this Subsection shall be served without the benefit of  
19 parole, probation, or suspension of sentence, and is to be served in addition to any  
20 sentence of imprisonment imposed pursuant to Subparagraph (1)(a) of this  
21 Subsection, provided that the total period of imprisonment upon conviction of the  
22 offense, including imprisonment for default in payment of a fine or costs, shall not  
23 exceed six months.

24 (b) In addition to any penalties imposed under this Section, upon conviction  
25 of a first offense violation of R.S. 14:98, if the offender had a blood alcohol  
26 concentration of 0.15 percent or more by weight based on grams of alcohol per one  
27 hundred cubic centimeters of blood, the driver's license of the offender shall be  
28 suspended for two years.

29 \* \* \*

30 (3)

31 \* \* \*

32 (b) In addition to any penalties imposed under this Section, upon conviction  
33 of a first offense, if the offender had a blood alcohol concentration of ~~0.20~~ 0.15  
34 percent or more by weight based on grams of alcohol per one hundred cubic  
35 centimeters of blood, the driver's license of the offender shall be suspended for two  
36 years."

37 AMENDMENT NO. 6

38 On page 13, at the beginning of line 11, delete "or services of an indigent public defender."  
39 and insert the following:

40 "or a judge's order for services of an indigent public defender when the  
41 defendant demonstrated income below one hundred twenty-five percent of  
42 the federal poverty level."

1 AMENDMENT NO. 7

2 On page 14, line 5, after "(introductory paragraph)" and before "and" insert ", (i)" and at the  
3 end of line 5, after "(3)(a)" insert ", (b),"

4 AMENDMENT NO. 8

5 On page 14, line 28, change "0.20" to "~~0.20~~ 0.15"

6 AMENDMENT NO. 9

7 On page 15, at the end of line 2, change "the first" to "~~the first~~" and change line 3 to the  
8 following:

9 ~~"twelve-month period of the suspension. twelve months of the two-year~~  
10 ~~suspension, provided the last six consecutive months of installation are free~~  
11 ~~from violation reset and violation lockout."~~  
"twelve months of the two-year suspension, provided the last six consecutive months of installation are free from violation reset and violation lockout."

12 AMENDMENT NO. 10

13 On page 16, line 20, delete "but less than 0.20 percent"

14 AMENDMENT NO. 11

15 On page 16, delete line 23, and insert the following:

16 "(i) Upon first conviction, if the offender had a blood alcohol concentration  
17 of ~~0.20~~ 0.15 percent or greater, his driver's license shall be suspended for two years  
18 and he shall be issued a restricted driver's license for the entire period of the  
19 suspension after he has provided proof to the department that his motor vehicle is  
20 equipped with a functioning ignition interlock device. A functioning ignition  
21 interlock device shall remain installed on his vehicle during ~~the first twelve-month~~  
22 ~~period of the suspension of his driver's license~~ twelve months of the two-year  
23 suspension, provided the last six consecutive months of installation are free from  
24 violation reset and violation lockout."

25 AMENDMENT NO. 12

26 On page 18, line 5, delete "but less than 0.20 percent"

27 AMENDMENT NO. 13

28 On page 18, line 14, delete "but less than 0.20 percent"

29 AMENDMENT NO. 14

30 On page 18, delete line 21, and insert the following:

31 "(b) If the person submitted to the test as a result of a first violation and  
32 the test results show a blood alcohol level of ~~0.20~~ 0.15 percent or above by  
33 weight, he shall be eligible for a hardship license during the entire period of the  
34 imposed two-year suspension after he has provided proof that his motor vehicle  
35 has been equipped with an ignition interlock device. A functioning ignition  
36 interlock device shall remain installed on his motor vehicle during ~~the first~~  
37 ~~twelve-month period of his driver's license suspension~~ twelve months of the two-  
38 year suspension, provided that the last six consecutive months of installation are  
39 free from violation reset and violation lockout."

40 AMENDMENT NO. 15

41 On page 19, line 21, at the end of the line, delete "an" and insert "a second or subsequent"