



General Assembly

January Session, 2019

**Raised Bill No. 1086**

LCO No. 5971



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING REPEAT DRIVING UNDER THE INFLUENCE OFFENDERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 14-227a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2019*):

4 (g) Any person who violates any provision of subsection (a) of this  
5 section shall: (1) For conviction of a first violation, (A) be fined not less  
6 than five hundred dollars or more than one thousand dollars, and (B)  
7 be (i) imprisoned not more than six months, forty-eight consecutive  
8 hours of which may not be suspended or reduced in any manner, or  
9 (ii) imprisoned not more than six months, with the execution of such  
10 sentence of imprisonment suspended entirely and a period of  
11 probation imposed requiring as a condition of such probation that  
12 such person perform one hundred hours of community service, as  
13 defined in section 14-227e, and (C) have such person's motor vehicle  
14 operator's license or nonresident operating privilege suspended for  
15 forty-five days and, as a condition for the restoration of such license,

16 be required to install an ignition interlock device on each motor vehicle  
17 owned or operated by such person and, upon such restoration, be  
18 prohibited for the one-year period following such restoration from  
19 operating a motor vehicle unless such motor vehicle is equipped with  
20 a functioning, approved ignition interlock device, as defined in section  
21 14-227j; (2) for conviction of a second violation within ten years after a  
22 prior conviction for the same offense, (A) be fined not less than one  
23 thousand dollars or more than four thousand dollars, (B) be  
24 imprisoned not more than [two] three years, one hundred [twenty]  
25 eighty consecutive days of which may not be suspended or reduced in  
26 any manner, and sentenced to a period of probation requiring as a  
27 condition of such probation that such person: (i) Perform one hundred  
28 hours of community service, as defined in section 14-227e, (ii) submit  
29 to an assessment through the Court Support Services Division of the  
30 Judicial Branch of the degree of such person's alcohol or drug abuse,  
31 and (iii) undergo a treatment program if so ordered, and (C) have such  
32 person's motor vehicle operator's license or nonresident operating  
33 privilege suspended for forty-five days and, as a condition for the  
34 restoration of such license, be required to install an ignition interlock  
35 device on each motor vehicle owned or operated by such person and,  
36 upon such restoration, be prohibited for the three-year period  
37 following such restoration from operating a motor vehicle unless such  
38 motor vehicle is equipped with a functioning, approved ignition  
39 interlock device, as defined in section 14-227j, except that for the first  
40 year of such three-year period, such person's operation of a motor  
41 vehicle shall be limited to such person's transportation to or from work  
42 or school, an alcohol or drug abuse treatment program, an ignition  
43 interlock device service center or an appointment with a probation  
44 officer; and (3) for conviction of a third and subsequent violation  
45 within ten years after a prior conviction for the same offense, (A) be  
46 fined not less than two thousand dollars or more than eight thousand  
47 dollars, (B) be imprisoned not more than [three] five years, [one year]  
48 two years of which may not be suspended or reduced in any manner,  
49 and sentenced to a period of probation requiring as a condition of such  
50 probation that such person: (i) Perform one hundred hours of

51 community service, as defined in section 14-227e, (ii) submit to an  
52 assessment through the Court Support Services Division of the Judicial  
53 Branch of the degree of such person's alcohol or drug abuse, and (iii)  
54 undergo a treatment program if so ordered, and (C) have such person's  
55 motor vehicle operator's license or nonresident operating privilege  
56 permanently revoked upon such third offense, except that if such  
57 person's revocation is reversed or reduced pursuant to subsection (i) of  
58 section 14-111, such person shall be prohibited from operating a motor  
59 vehicle unless such motor vehicle is equipped with a functioning,  
60 approved ignition interlock device, as defined in section 14-227j, for  
61 the time period prescribed in subdivision (2) of subsection (i) of section  
62 14-111. For purposes of the imposition of penalties for a second or  
63 third and subsequent offense pursuant to this subsection, a conviction  
64 under the provisions of subsection (a) of this section in effect on  
65 October 1, 1981, or as amended thereafter, a conviction under the  
66 provisions of either subdivision (1) or (2) of subsection (a) of this  
67 section, a conviction under the provisions of section 14-227m, a  
68 conviction under the provisions of subdivision (1) or (2) of subsection  
69 (a) of section 14-227n, a conviction under the provisions of section 53a-  
70 56b or 53a-60d or a conviction in any other state of any offense the  
71 essential elements of which are determined by the court to be  
72 substantially the same as subdivision (1) or (2) of subsection (a) of this  
73 section, section 14-227m, subdivision (1) or (2) of subsection (a) of  
74 section 14-227n or section 53a-56b or 53a-60d, shall constitute a prior  
75 conviction for the same offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	14-227a(g)

**Statement of Purpose:**

To increase penalties imposed upon persons for repeat offenses of driving under the influence of intoxicating drugs or liquor.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*