



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2 repealed and the following is substituted in lieu thereof (*Effective*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	<i>October 1, 2019</i>	14-227a(g)

JUD *Joint Favorable*