

This Document can be made available in alternative formats upon request

Printed Page No. **128**

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE No. **525**

February 5, 2009

Authored by Mullery

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

March 18, 2009

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Transportation and Transit Policy and Oversight Division

March 30, 2009

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to public safety; expanding the current DWI ignition interlock device
1.3 pilot program by two years and applying it statewide; amending Minnesota
1.4 Statutes 2008, section 171.306, subdivisions 1, 3.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 171.306, subdivision 1, is amended to read:

1.7 Subdivision 1. **Pilot project established; reports.** The commissioner shall conduct
1.8 a statewide two-year ignition interlock device pilot project as provided in this section.

1.9 ~~The commissioner shall select one metropolitan county and one rural county to participate~~
1.10 ~~in the pilot project.~~ The pilot project must begin on July 1, ~~2007~~ 2009, and continue until

1.11 June 30, ~~2009~~ 2011. The commissioner shall submit ~~two~~ a preliminary reports report by
1.12 ~~February 1, 2008, and by December 1, 2008~~ September 30, 2010, and a final report by

1.13 September ~~1~~ 30, 2009 2011, to the chairs and ranking minority members of the senate and
1.14 house of representatives committees having jurisdiction over criminal justice policy and
1.15 funding. The reports must evaluate the successes and failures of the pilot project, provide
1.16 information on participation rates, and make recommendations on continuing the project.

1.17 Sec. 2. Minnesota Statutes 2008, section 171.306, subdivision 3, is amended to read:

1.18 Subd. 3. **Pilot project components.** (a) Under the pilot project, the commissioner
1.19 shall issue a driver's license to an individual whose driver's license has been revoked under
1.20 chapter 169A for ~~a repeat~~ an impaired driving incident if the person qualifies under this
1.21 section and agrees to all of the conditions of the project.

1.22 (b) The commissioner must denote the person's driver's license record to indicate the
1.23 person's participation in the program. The license must authorize the person to drive only

2.1 vehicles having functioning ignition interlock devices conforming with the requirements
2.2 of subdivision 2.

2.3 (c) Notwithstanding any statute or rule to the contrary, the commissioner has
2.4 authority to and shall determine the appropriate period for which a person participating in
2.5 the ignition interlock pilot program shall be subject to this program, and when the person
2.6 is eligible to be issued:

2.7 (1) a limited driver's license subject to the ignition interlock restriction;

2.8 (2) full driving privileges subject to the ignition interlock restriction; and

2.9 (3) a driver's license without an ignition interlock restriction.

2.10 (d) A person participating in this pilot project shall agree to participate in any
2.11 treatment recommended by a chemical use assessment.

2.12 (e) The commissioner shall determine guidelines for participation in the project.

2.13 A person participating in the project shall sign a written agreement accepting these
2.14 guidelines and agreeing to comply with them.

2.15 (f) It is a misdemeanor for a person who is licensed under this section for driving
2.16 a vehicle equipped with an ignition interlock device to drive, operate, or be in physical
2.17 control of a motor vehicle other than a vehicle properly equipped with an ignition
2.18 interlock device.