

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3000

By: Worthen

4
5
6 AS INTRODUCED

7 An Act relating to driving under the influence;
8 amending 47 O.S. 2021, Section 6-212.5, as amended by
9 Section 5, Chapter 376, O.S.L. 2022 (47 O.S. Supp.
10 2023, Section 6-212.5), which relates to the Impaired
11 Driver Accountability Program; setting certain date;
12 modifying use and deposit of fees collected;
13 modifying type of certification required for certain
14 medical exemption; removing authorization limiting
15 use of medical exemption; modifying name of
16 responsible entity; authorizing the Board of Tests
17 for Alcohol and Drug Influence to promulgate certain
18 rules; authorizing the charging of certain fees;
19 prohibiting the licensing of certain providers; and
20 providing an effective date.

21
22
23
24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-212.5, as
amended by Section 5, Chapter 376, O.S.L. 2022 (47 O.S. Supp. 2023,
Section 6-212.5), is amended to read as follows:

Section 6-212.5 A. The Impaired Driver Accountability Program
(IDAP) established by the Department of Public Safety is hereby
transferred to the Board of Tests for Alcohol and Drug Influence for

1 impaired driving arrests occurring on or after November 1, 2022.
2 The Board of Tests for Alcohol and Drug Influence shall charge an
3 administrative fee of One Hundred Fifty Dollars (\$150.00) to each
4 person entered into IDAP. ~~One Hundred Dollars (\$100.00) of each~~
5 ~~administrative fee shall be deposited in the General Revenue Fund of~~
6 ~~the State Treasury. Twenty five Dollars (\$25.00) of each~~
7 ~~administrative fee shall be deposited in the Department of Public~~
8 ~~Safety Restricted Revolving Fund. Twenty five Dollars (\$25.00) of~~
9 ~~each administrative fee shall be deposited in the Board of Tests for~~
10 ~~Alcohol and Drug Influence Revolving Fund. IDAP fees collected by~~
11 ~~the Board may be budgeted and expended by the Board of Tests for~~
12 ~~Alcohol and Drug Influence for operating expenses of the Board.~~
13 ~~IDAP fees received in excess of Two Hundred Fifty Thousand Dollars~~
14 ~~(\$250,000.00) each fiscal year shall be deposited in the General~~
15 ~~Revenue Fund of the State Treasury.~~ The Board of Tests for Alcohol
16 and Drug Influence shall promulgate rules necessary to administer
17 the program and ~~such rules as are necessary relating to ignition~~
18 ~~interlock devices and the providers of such devices, including fees.~~
19 The IDAP rules shall require, at a minimum:
20 1. Installation of an approved ignition interlock device for
21 the periods set forth in Section 6-205.1 of this title;
22 2. A description of ignition interlock violations;
23 3. A description of criteria to determine acceptable
24 participation in the program;

1 4. Required violation free periods of no less than ninety (90)
2 days at the end of each program to demonstrate compliance by the
3 participant;

4 5. Criteria for medical exemptions from ignition interlock
5 requirements for persons submitting a ~~physician's~~ pulmonologist's
6 certification indicating the person has a documented medical
7 condition preventing the person from providing a breath sample of at
8 least one and two-tenths (1.2) liters. Medical exemptions shall not
9 be construed to grant the person driving privileges during the
10 revocation. ~~Medical exemptions under this paragraph are only~~
11 ~~authorized for revocations imposed in accordance with paragraph 1 of~~
12 ~~subsection A of Section 6-205.1 of this title;~~

13 6. Criteria for granting employer exceptions to ignition
14 interlock requirements in vehicles owned or leased by the employer.
15 Employer exceptions under this paragraph shall not be construed to
16 relieve the person from completing the Impaired Driver
17 Accountability Program. Employer exceptions under this paragraph
18 are only authorized for revocations imposed in accordance with
19 paragraph 1 of subsection A of Section 6-205.1 of this title; and

20 7. Criteria for granting affordability accommodations to
21 persons on public assistance programs or whose family income is at
22 or below one hundred fifty percent (150%) of the federal poverty
23 level.

24

1 B. Upon successful completion of the program, in accordance
2 with the rules of the Board of Tests for Alcohol and Drug Influence,
3 the person will be provided a completion certificate. Upon
4 presentation of the IDAP completion certificate and documentation
5 required by Section 6-212.2 of this title and payment of the
6 required statutory fees, ~~the Department~~ Service Oklahoma will
7 reinstate the driving privileges of the person, if otherwise
8 eligible.

9 C. The Board is authorized to promulgate rules necessary to
10 regulate ignition interlock devices and the providers of such
11 devices, which shall be subject to suspension or revocation in
12 accordance with the rules promulgated by the Board. The Board is
13 authorized to charge appropriate fees for operations incidental to
14 its required duties and responsibilities. No licensed interlock
15 provider utilizing a lease, clause, or contractual agreement that
16 authorizes the provider impound, physically immobilize (except with
17 an interlock device), or seize a vehicle may be licensed by the
18 Board.

19 D. The Board is authorized to prescribe uniform standards and
20 conditions for, and to approve satisfactory methods, procedures,
21 techniques, devices, equipment and records for ignition interlock
22 device performance and data.

23 E. The Board is authorized to prescribe and approve the
24 requisite education and training for the performance of ignition

1 interlock services. The Board shall establish standards and
2 ascertain the qualifications and competence of individuals who
3 provide ignition interlock services and to issue permits to such
4 individuals and service centers which shall be subject to suspension
5 or revocation in accordance with the rules promulgated by the Board.

6 SECTION 2. This act shall become effective November 1, 2024.

7

8 59-2-8968 JBH 12/18/23

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24