

2010 -- H 7111

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

Introduced By: Representatives Marcello, Gablinske, Kilmartin, DaSilva, and Hearn

Date Introduced: January 13, 2010

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-27-2.8 of the General Laws in Chapter 31-27 entitled "Motor
2 Vehicle Offenses" is hereby amended to read as follows:

3 **31-27-2.8. Ignition interlock system imposed as part of sentence -- Requirements. --**
4 ~~Any person convicted under the provisions of section 31-27-2(d)(2) or (3) may be prohibited by~~
5 ~~the sentencing judge from operating a motor vehicle that is not equipped with an ignition~~
6 ~~interlock system for a period of not more than two (2) years following the completion of any~~
7 ~~sentence imposed pursuant to that section.~~

8 (a) Any person convicted under the provisions of section 31-27-2 shall, in addition to the
9 penalties contained in section 31-27-2, be prohibited from operating a motor vehicle which is not
10 equipped with an approved ignition interlock system for the following terms:

11 (1) A minimum period of six (6) months and a maximum period of one year for the first
12 conviction;

13 (2) A minimum period of one year and a maximum period of two (2) years for the
14 second conviction;

15 (3) A minimum period of five (5) years and a maximum period of ten (10) years for the
16 third conviction;

17 (4) A minimum period of ten (10) years and a maximum period of twenty (20) years for
18 the fourth conviction.

19 (b) Any person convicted pursuant to section 31-27-2 while transporting a person under

1 eighteen (18) years of age shall be subject to a minimum of an additional six (6) months in
2 addition to the terms specified in subsection (a).

3 (c) Any person who drives in violation of an ignition interlock order, including altering
4 or tampering with said device, shall be guilty of a felony punishable by a fine of one thousand
5 dollars (\$1,000) and up to one year in prison.

6 (d) Any person who drives with a suspended license and the reason for the suspension
7 was a consequence of driving under the influence of drugs or alcohol, or refusal to submit to a
8 chemical test, shall be subject to an additional six (6) months use of the ignition interlock system.

9 (e) The department of motor vehicles shall promulgate rules and regulations regarding
10 certification and installation of the interlock system. All costs associated with installation of said
11 systems shall be borne by the person required to install said system. The department shall charge
12 an administrative fee of one hundred dollars (\$100) to the person ordered to install said system.
13 Said fee shall be apportioned to cover administrative costs and establishment of an ignition
14 interlock device fund available to indigent parties. The division of motor vehicles shall establish
15 the criteria for individuals who qualify for utilization of said fund.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

- 1 This act would require the use of an ignition interlock system and would be applicable to
- 2 individuals convicted of various driving offenses involving drugs or alcohol.
- 3 This act would take effect upon passage.

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