

HB 1172-FN – AS INTRODUCED

2014 SESSION

14-2008  
03/10

HOUSE BILL

***1172-FN***

AN ACT

relative to mandatory ignition interlock device installation.

SPONSORS:

Rep. J. Schmidt, Hills 28

COMMITTEE:

Criminal Justice and Public Safety

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ANALYSIS

This bill requires ignition interlock device installation after a period of revocation or suspension for any DWI offense.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                   relative to mandatory ignition interlock device installation.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Alcohol Ignition Interlock Program; Mandatory Installation. Amend RSA 265-A:36, I to read  
2 as follows:

3           I. Any person whose license or permission to drive has been revoked or suspended for [~~an~~  
4 ~~aggravated~~] **a** DWI offense under RSA [~~265-A:18, I(b) or I(c), or a subsequent DWI offense under~~  
5 ~~RSA 265-A:18, IV~~] **RSA 265-A:2, I or RSA 265-A:3** shall be required by the court after the period of  
6 revocation or suspension to install an ignition interlock device as defined in RSA 259:43-a in any  
7 vehicle registered to that person or used by that person on a regular basis, for not less than 12  
8 months nor more than 2 years. Installation and monitoring costs shall be paid by the offender. A  
9 certificate proving installation of the device shall be provided to the division of motor vehicles as a  
10 condition precedent to reinstatement of the individual's license to drive, and the division may mark  
11 the person's license and the person's number plate by use of a striping sticker accordingly.

12           2 Authority to Order Ignition Interlock Device. Amend RSA 265-A:36-a to read as follows:

13           265-A:36-a Department of Safety Authority to Order Ignition Interlock Device Installation or  
14 Enhanced Technology Ignition Interlock Device. The commissioner of safety may require an  
15 administrative hearing prior to the restoration of the license or driving privilege of a person whose  
16 license or driving privilege was revoked or suspended as the result of a conviction of any offense  
17 under RSA 265-A:2, **II**, [~~RSA 265-A:3,~~] RSA 265:79-a where alcohol was involved, RSA 262:19, or  
18 RSA 630:3, II, and, upon a finding that the safety of the person and of other users of the highways  
19 would be enhanced thereby, may order the person, as a condition of restoration of his or her license  
20 or driving privilege, to install an ignition interlock device or enhanced technology ignition interlock  
21 device in any vehicle registered to that person or used by that person, for not less than 12 months  
22 nor more than 2 years, subject to the same conditions and prohibitions as if the interlock was ordered  
23 by a court under the provisions of this subdivision.

24           3 Repeal. RSA 265-A:36, II, relative to ignition interlock requirement for person with prior  
25 conviction, is repealed.

26           4 Effective Date. This act shall take effect January 1, 2015.

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LBAO  
14-2008  
10/24/13

**HB 1172-FN - FISCAL NOTE**

AN ACT relative to mandatory ignition interlock device installation.

**FISCAL IMPACT:**

The Department of Safety states this bill, as introduced, will increase state highway fund expenditures by \$132,959 in FY 2015, \$259,488 in FY 2016, \$271,809 in FY 2017, and \$284,806 in FY 2018. There will be no impact on state revenue, or county and local revenues and expenditures.

**METHODOLOGY:**

The Department of Safety states this bill would require ignition interlock device installation after a period of revocation or suspension for any driving while intoxicated (DWI) offense. The Department states the NH Ignition Interlock Program currently monitors 500 devices in NH and other states using one part-time employee. According to the Department, in 2012 there were 4,920 DWI convictions in NH and under this bill those would have all required an interlock device. The Department states it would need to hire an additional five full-time employees to manage the increase in interlock devices. It is assumed the five positions would not start until January 1, 2015 and would be funded with highway funds:

	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
Salary	\$13,270	\$27,028	\$28,081	\$29,182
Benefits	\$11,322	\$23,870	\$25,281	\$26,779
Total Salary/Benefits Per Position	\$24,592	\$50,898	\$53,362	\$55,961
Number of New Positions	5	5	5	5
<b>TOTAL SALARY/BENEFIT COST</b>	<b>\$122,959</b>	<b>\$254,488</b>	<b>\$266,809</b>	<b>\$279,806</b>
Equipment/Other Expenses	\$10,000	\$5,000	\$5,000	\$5,000
<b>TOTAL COST</b>	<b>\$132,959</b>	<b>\$259,488</b>	<b>\$271,809</b>	<b>\$284,806</b>