
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 415 Reengrossed

2019 Regular Session

Terry Brown

Abstract: Provides guidance for driver's license reinstatement relative to arrests for driving while intoxicated.

Present law provides that present law, relative to reinstatement of privileges, does not apply to a person who refuses to submit to an approved chemical test upon a second or subsequent arrest for driving while intoxicated. Present law further provides that present law does not apply if the second or subsequent arrest occurs more than 10 years after the prior arrest.

Present law requires an ignition interlock device be installed in any motor vehicle operated by any person under certain circumstances related to a driving while intoxicated arrest as a condition of the reinstatement of that person's driver's license.

Proposed law requires the department's records of arrests made for driving while intoxicated, as certified by the arresting officer, or reversals or recalls as a result of an administrative hearing or judicial review be used to determine the application of the provisions of present law.

Proposed law further provides that if the suspension arising out of the arrest has been reversed or recalled, the arrest related to that suspension cannot be used to determine if present law applies to a driver's license reinstatement.

(Amends R.S. 32:667(H)(3); Adds R.S. 32:667(I)(5))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add reversals or recalls as a result of an administrative hearing or judicial review to the records that the department may use to determine the application of the provisions of present law.