
DIGEST

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HB 415 Engrossed

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, 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))