

# An Act Relative to Improving Safety on the Roads of the Commonwealth

## Ignition Interlock

*Would allow judges to order ignition interlock devices for first time Operating Under the Influence offenders.*

### Proposed MGL Chapter 90 Section 24 Amendment

(1) Where the license or right to operate has been revoked under section twenty-four D or twenty-four E, or revoked under paragraph (b) and such person has not been convicted of a like offense or has not been assigned to an alcohol or controlled substance education, treatment or rehabilitation program because of a like offense by a court of the commonwealth or any other jurisdiction preceding the date of the commission of the offense for which he has been convicted, the registrar shall not restore the license or reinstate the right to operate to such person unless the prosecution of such person has been terminated in favor of the defendant, until one year after the date of conviction; provided, however, that such person may, after the expiration of three months from the date of conviction, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes, which license shall be effective for not more than an identical twelve hour period every day on the grounds of hardship and a showing by the person that the causes of the present and past violations have been dealt with or brought under control, and the registrar may, in his discretion, issue such license under such terms and conditions as he deems appropriate and necessary; and provided, further, that such person may, after the expiration of six months from the date of conviction, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license on a limited basis on the grounds of hardship and a showing by the person that the causes of the present and past violations have been dealt with or brought under control and the registrar may, in his discretion, issue such a license under such terms and conditions as he deems appropriate and necessary. A mandatory restriction on a hardship license granted by the registrar under this subparagraph shall be that such person have an ignition interlock device installed on each vehicle owned, each vehicle leased and each vehicle operated by the licensee for the duration of the hardship license. Any operator who does not seek or is not granted a hardship license under this section shall be required to have an ignition interlock restriction for a period of not less than six months following reinstatement of their license or right to operate.

### Proposed MGL Chapter 90 Section 24D Amendment

Any person convicted of or charged with operating a motor vehicle with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or while under the influence of intoxicating liquor, controlled substance or the vapors of glue, may if such person consents, be placed on probation for not more than two years and shall, as a condition of probation, be assigned to a driver alcohol education program as provided herein and, if deemed necessary by the court, to an alcohol or controlled substance abuse treatment or rehabilitation program or to both, and such person's license or right to operate shall be suspended for a period of no less than ~~forty-five nor more than ninety days~~ 6 months nor more than 1 year;

...  
The registrar, at the registrar's discretion, may issue such license under such terms and conditions as the registrar may prescribe; provided, however, that any such license shall include a mandatory restriction that such person have an ignition interlock device installed on each vehicle owned, each vehicle leased and each vehicle operated by the licensee for the duration of the hardship license. Any operator who does not seek or is not granted a hardship license under this section shall be required to have an ignition interlock restriction for a period of not less than 6 months following reinstatement of their license or right to operate.



Studies show that ignition interlock devices can reduce re-arrest rates for impaired driving by as much as 70%, and reduce alcohol-involved crash deaths by 15%.



### WHY

- Existing Massachusetts law mandates the use of ignition interlock devices for second and subsequent offense, not first offenders
- Lack of monitoring for those granted hardship licenses

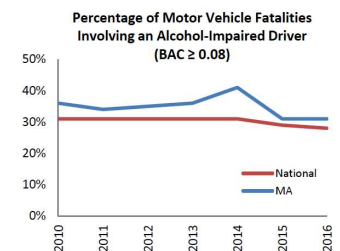
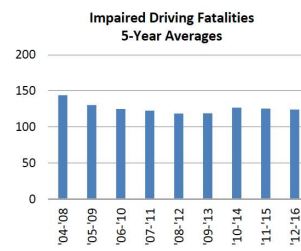
### OBJECTIVES

- Expanding the use of ignition interlock devices to first offenders
- Enhance public safety
- Reduce recidivism



### Amendment

- Allowing first time offenders who apply for hardship licenses to be placed into the ignition interlock program like second and subsequent offenders
- Clarifying the registry's ability to penalize those who attempt to drive drunk, even with an interlock device



33% of all fatalities from motor vehicle crashes involved an alcohol-impaired driver.

The percentage of adults who self-reported driving after excessive drinking was higher in Massachusetts (2.8%) than the rest of the U.S. (2.1%).

The percentage of Massachusetts high school students who self-reported driving after consuming alcohol was 9.4%.