

BILL ANALYSIS

Senate Research Center
76R15020JD-F

C.S.H.B. 3492
By: Dunnam (Armbrister)
Criminal Justice
5/13/1999
Committee Report (Substituted)

DIGEST

Judges must order ignition interlock devices to be installed on the vehicle of an individual convicted of a DWI offense. But, there is no reporting requirement for those companies which manufacture the devices. A reporting requirement would ensure that the courts are aware of the violations that occur while these interlock machines are in place. C.S.H.B. 3492 would establish minimum standards for ignition interlock vendors.

PURPOSE

As proposed, C.S.H.B. 3492 establishes minimum standards for ignition interlock vendors, including standardized violation reports.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Department of Public Safety in SECTION 1 (Section 521.2476(a), Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.246, Transportation Code, by adding Subsection (f), to prohibit a previous conviction from being used to restrict a person from operating a motor vehicle equipped with an interlock ignition device, given certain circumstances regarding the person's previous convictions.

SECTION 2. Amends Chapter 521L, Transportation Code, by adding Section 521.2476, as follows:

Sec. 521.2476. MINIMUM STANDARDS FOR VENDORS OF IGNITION INTERLOCK DEVICES. Sets forth standards and procedures which the Department of Public Safety (department) must establish, by rule, and sets forth what those standards must require each vendor to do. Authorizes the department to revoke the department's authorization for a vendor to do business in this state if the vendor or an officer or employee of the vendor violates certain law or rules. Requires each vendor to reimburse the department for the reasonable cost of conducting each inspection of the vendor's facilities under this section. Defines "offense relating to the operating of a motor vehicle while intoxicated."

SECTION 3. Amends Section 13(i), Article 42.12, Code of Criminal Procedure, to make conforming changes.

SECTION 4. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 5. Emergency clause.