



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5274 (Substitute S-1 as reported)  
Sponsor: Representative Ellen Cogen Lipton  
House Committee: Judiciary  
Senate Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Vehicle Code to require the Secretary of State to issue a restricted license to a person whose license was suspended, restricted, revoked, or denied based on two or more convictions of driving while intoxicated or while impaired, if the person's license were suspended or revoked for 45 days, he or she were admitted into a DWI/sobriety court program, and an ignition interlock device had been installed on each motor vehicle he or she owned or operated. The bill also would do all of the following:

- Allow the person to operate only a vehicle equipped with an ignition interlock device, to take any required driving skills test, and to drive to and from his or her residence, workplace, school, and a court-ordered alcohol or drug education or treatment program.
- Specify that the restricted license would be effective until a hearing officer ordered an unrestricted license.
- Prohibit the person from being considered for an unrestricted license until he or she had successfully completed the DWI/sobriety court program or the minimum period of license sanction otherwise required had been completed, whichever was later.
- Require the Secretary of State to summarily impose license sanctions, if a program participant were terminated from the program or had committed certain violations.
- After a person completed a DWI/sobriety court interlock pilot project program, require the restricted license to be suspended, revoked, or denied for certain violations.
- Require driver responsibility fees to be held in abeyance while person had a restricted license and was participating in the DWI/sobriety court interlock pilot project.
- Exempt a program participant's vehicle from immobilization or forfeiture if he or she remained in good standing with the program or successfully completed it, and did not subsequently violate a Michigan law punishable by immobilization or forfeiture.

The bill is tie-barred to Senate Bill 794 and would take effect on January 1, 2011. (Senate Bill 794 (S-1), as passed by the Senate, would create a three-year DWI/sobriety court interlock pilot project beginning January 1, 2011, for individuals convicted of two or more violations of operating a vehicle while intoxicated or while impaired.)

MCL 257.219 et al.

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The Department of State has indicated there would be some costs associated with programming, manual tracking of people in the proposed pilot project, and review of compliance with the requirements associated with interlock devices. The amount of these costs is indeterminate and would depend on the number of participants in the pilot project. Since the Department does not track the number of multiple-time offenders, it is unknown how much of the driver responsibility fees would be held in abeyance.

Date Completed: 4-14-10

Fiscal Analyst: Joe Carrasco