

Department of Finance and Administration

Legislative Impact Statement

Bill: SB64

Amendment Number: S2

Bill Subtitle: TO PROVIDE FOR AN ENHANCED PENALTY FOR THE OFFENSE OF DRIVING WHILE INTOXICATED WHEN A PERSON CAUSES AN ACCIDENT OR DRIVES WITHOUT A DRIVER'S LICENSE IN EFFECT WHILE INTOXICATED.

Basic Change : Sponsor: Sen Woods and Rep. Whitaker

This bill as amended with amendment 2 provides for enhanced penalty of an unclassified misdemeanor or an unclassified felony if at the time of the offense of driving while intoxicated when a person causes an accident or drives without a driver's license in effect while intoxicated:

- (a) A passenger under sixteen (16) years of age was in the motor vehicle;
- (b) The person was driving on a suspended or revoked driver's license or was driving without having a driver's license in effect; or
- (c) The person causes property damage

This amendment adds to (b) "or revoked"

This bill will have no impact on the DFA Administrative Hearing process for those charged with driving while intoxicated offenses

Revenue Impact :

There is no revenue impact if this bill is passed.

Taxpayer Impact :

Additional criminal penalties may be assessed by the courts if this bill is passed.

Resources Required :

No additional resources are required.

Time Required :

No additional time is required to implement this bill.

Procedural Changes :

No procedural changes are required.

Legal Analysis :

SB64 enhances penalties for the offense of Driving While Intoxicated under certain circumstances. This amendment replaces the word "suspended" with the phrase "suspended or revoked" in the section that provide for an enhanced penalty when a person drives while intoxicated and does not have a valid driver license. DFA requested this amendment to clarify that a person subject to a license revocation would be subject to the penalty enhancement in SB64.