

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/20/17

A Bill

HOUSE BILL 1268

5 By: Representative Murdock
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE USE OF AN IGNITION INTERLOCK
9 DEVICE; AND FOR OTHER PURPOSES.
10

Subtitle

11 CONCERNING THE USE OF AN IGNITION
12 INTERLOCK DEVICE.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 *SECTION 1. Arkansas Code § 5-65-118(a)(1)(A)(i), concerning the use of*
20 *an ignition interlock device, is amended to read as follows:*

21 *(a)(1)(A)(i) ~~The~~ Except as provided under subsection (g) of this*
22 *section, the Office of Driver Services shall place a restriction on a person*
23 *who has violated § 5-65-103 for a first or second offense that requires the*
24 *person's motor vehicle to be equipped with a functioning ignition interlock*
25 *device in addition to any other penalty authorized by this chapter.*
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27 *SECTION 2. Arkansas Code § 5-65-118, concerning the use of an ignition*
28 *interlock device, is amended to add an additional subsection to read as*
29 *follows:*

30 *(g)(1) A person who has violated § 5-65-103 for a first offense that*
31 *requires the person's motor vehicle to be equipped with a functioning*
32 *ignition interlock device under this section may petition the court with*
33 *jurisdiction for a waiver of the requirement to install a functioning*
34 *interlock device under this section.*

35 *(2) The court with jurisdiction may waive the requirement to*
36 *install a functioning interlock device under this section if the court finds*



1 that the installation of a functioning interlock device would constitute a
2 hardship on the person.

3 (3) Upon finding that the installation of a functioning
4 interlock device would constitute a hardship on a person under subdivision
5 (g)(2) of this section, the court with jurisdiction shall enter an order to
6 that effect and transmit the order to the office for compliance.

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/s/Murdock

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