

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

February 19, 2007

1:41 p.m.

MEMBERS PRESENT

Representative Jay Ramras, Chair
Representative Nancy Dahlstrom, Vice Chair
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 19

"An Act relating to ignition interlock limited driver's license privileges."

- MOVED CSHB 19(JUD) OUT OF COMMITTEE

HOUSE BILL NO. 133

"An Act relating to requiring electronic monitoring as a special condition of probation for offenders whose offense was related to a criminal street gang."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 19

SHORT TITLE: LIMITED DRIVER'S LICENSES

SPONSOR(S): REPRESENTATIVE(S) MEYER

01/16/07	(H)	PREFILE RELEASED 1/5/07
01/16/07	(H)	READ THE FIRST TIME - REFERRALS
01/16/07	(H)	STA, JUD, FIN
02/01/07	(H)	STA AT 8:00 AM CAPITOL 106
02/01/07	(H)	Moved CSHB 19(STA) Out of Committee
02/01/07	(H)	MINUTE(STA)
02/05/07	(H)	STA RPT CS(STA) NT 6DP 1NR

02/05/07 (H) DP: DOLL, LYNN, JOHANSEN, GRUENBERG,
JOHNSON, ROSES
02/05/07 (H) NR: COGHILL
02/12/07 (H) JUD AT 1:00 PM CAPITOL 120
02/12/07 (H) Heard & Held
02/12/07 (H) MINUTE(JUD)
02/19/07 (H) JUD AT 1:30 PM CAPITOL 120

WITNESS REGISTER

MIKE PAWLOWSKI, Staff
to Representative Kevin Meyer
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During discussion of HB 19, outlined the changes incorporated into Version K and responded to questions on behalf of the sponsor, Representative Meyer.

REPRESENTATIVE KEVIN MEYER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 19.

DUANE BANNOCK, Director
Division of Motor Vehicles (DMV)
Department of Administration (DOA)
Anchorage, Alaska

POSITION STATEMENT: Responded to questions during discussion of HB 19.

ANNE CARPENETI, Assistant Attorney General
Legal Services Section-Juneau
Criminal Division
Department of Law (DOL)
Juneau, Alaska

POSITION STATEMENT: Responded to questions during discussion of HB 19.

DOUG WOOLIVER, Administrative Attorney
Administrative Staff
Office of the Administrative Director
Alaska Court System (ACS)
Anchorage, Alaska

POSITION STATEMENT: Responded to questions during discussion of HB 19.

ACTION NARRATIVE

CHAIR JAY RAMRAS called the House Judiciary Standing Committee meeting to order at [1:41:51 PM](#). Representatives Holmes, Dahlstrom, Coghill, Samuels, Lynn, and Ramras were present at the call to order. Representative Gruenberg arrived as the meeting was in progress.

HB 19 - LIMITED DRIVER'S LICENSES

[1:42:10 PM](#)

CHAIR RAMRAS announced that the only order of business would be HOUSE BILL NO. 19, "An Act relating to ignition interlock limited driver's license privileges." [Before the committee was CSHB 19(STA).]

[1:43:59 PM](#)

REPRESENTATIVE DAHLSTROM moved to adopt the proposed committee substitute (CS) for HB 19, Version 25-LS0133\K, Luckhaupt, 2/16/07, as the work draft. There being no objection, Version K was before the committee.

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MIKE PAWLOWSKI, Staff to Representative Kevin Meyer, Alaska State Legislature, relayed on behalf of Representative Meyer, sponsor of HB 19, that for the purpose of conformity, Version K contains a new Section 1, which proposes to alter AS 11.76.140; this change arose out of committee discussion regarding the possibility of tampering with an ignition interlock device. Language in proposed AS 28.15.201(f) - page 2, line 25 - now says in part, "shall be identified", and new language in this same subsection clarifies that if the ignition interlock device prevents a vehicle from being operated, the person has not violated the requirements of the limited driver's license by attempting to operate the vehicle; the latter change arose out of the belief that it doesn't make sense to punish someone for a successful demonstration of the device.

MR. PAWLOWSKI, in response to questions, relayed that an ignition interlock device records every failed attempt; that it renders a car inoperable until enough time has passed that the person can pass the breathalyzer mechanism's test; that failed attempts do not result in the ignition interlock device needing to be reset; that a person couldn't simply start the car while sober, drive to a bar, leave the car running, drink alcohol, and

then drive off expecting to have bypassed the ignition interlock device, because the device randomly requires the person to again blow into the breathalyzer mechanism - failure to pass the test at that point would result in the car's lights flashing and horn blowing until the vehicle is stopped; that a person couldn't simply ask someone else to blow into the device to get the car started for that same reason - the device randomly requires the person to retest; and that asking someone else to blow into the device would qualify as a class A misdemeanor crime under proposed AS 11.76,140 - Avoidance of ignition interlock device.

REPRESENTATIVE GRUENBERG referred to language in proposed AS 28.15.201(f)(3)(B) - on page 3, line 8 - and asked whether the sponsor would object to replacing the word "penalties" with the phrase, "a class A misdemeanor".

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REPRESENTATIVE KEVIN MEYER, Alaska State Legislature, sponsor, relayed that he has no objection to such a change.

REPRESENTATIVE GRUENBERG referred to a proposed letter of intent that would go with HB 19 and that would stipulate that the DMV is directed to alter regulations [such that the act of attempting to drive a motor vehicle but being prevented from doing so because the ignition interlock device was activated would not, in and of itself, be a reason to cancel the limited driver's license].

REPRESENTATIVE MEYER indicated that he has no objection to the letter of intent.

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REPRESENTATIVE GRUENBERG made a motion to adopt Amendment 1, to replace the word, "penalties" on page 3, line 8, with the phrase, "a class A misdemeanor". There being no objection, Amendment 1 was adopted.

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CHAIR RAMRAS made a motion to adopt Amendment 2, to delete the language on page 1, lines 12-14, thereby deleting proposed AS 11.76.140(a)(2), which read:

(2) **rents, loans, or leases** [RENT, LOAN, OR LEASE] a motor vehicle to a person on probation under AS

12.55.102, unless the vehicle is equipped with an ignition interlock device described in AS 12.55.102.

REPRESENTATIVE DAHLSTROM and REPRESENTATIVE GRUENBERG objected.

CHAIR RAMRAS indicated that Amendment 2 would address the issue of rental vehicles and loaned vehicles.

REPRESENTATIVE GRUENBERG expressed disfavor with Amendment 2, characterizing the language that would be deleted as extremely important to the original legislation [that dealt with ignition interlock devices, legislation which he sponsored and which passed in 1989]. He elaborated:

"We don't want people giving their car to somebody who is supposed to have an ignition interlock [device] on their own car, and [Amendment 2] would completely gut the whole concept of the [original] ignition interlock [legislation]. A rental agency would not violate this [provision] because they're not "knowingly" doing this ... [in order] for the person to get around the law.

REPRESENTATIVE MEYER remarked that the limited driver's license itself will state that the person is required to have an ignition interlock device on any car he/she drives, so the car rental agency would know that fact.

REPRESENTATIVE GRUENBERG surmised, then, that the sponsor doesn't want that provision deleted.

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REPRESENTATIVE MEYER asked whether it could be argued, even if the rental agency clerk simply misses the statement that the person cannot drive a vehicle that doesn't have an ignition interlock device installed, that the clerk knew or should have known about that restriction.

REPRESENTATIVE GRUENBERG said yes, absolutely; rental car agencies must train their people not to rent to people who have such a restriction. Without [such training] people required to use ignition interlock devices will simply go rent a car and thereby circumvent the law.

MR. PAWLOWSKI pointed out that circumventing, tampering with, or driving a car not equipped with an ignition interlock device would be a violation of proposed AS 11.76.140. The burden will

be on the person with the limited driver's license rather than on the rental agency or friend who loans the person his/her car.

REPRESENTATIVE GRUENBERG said that in passing the original legislation, the legislature wanted to absolutely prevent people from loaning their cars to friends who are required to use an ignition interlock device; this prohibition prevents someone from attempting to get around the ignition interlock device law by borrowing or renting a car. Amendment 2 would significantly weaken [current law]. Furthermore, for people in the business of renting cars, allowing them to rent cars to people required to use an ignition interlock device would be just like allowing them to rent a car to someone who is not allowed drive at all such as an underage driver or someone who doesn't have a valid driver's license; rental car agencies should not be renting cars to people who are not allowed to drive.

REPRESENTATIVE SAMUELS said the way he reads the language in proposed AS 11.76.140, he would be in violation of the law if he loans his car, which he would be doing "knowingly", to someone without first checking to see whether the person's driver's license prohibits that person from driving any car that doesn't have an ignition interlock device installed. He expressed agreement with Amendment 2.

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REPRESENTATIVE LYNN pointed out, though, that the legislation is intended to keep the drunk driver off the road and to penalize him/her if he/she somehow circumvents the law regarding ignition interlock devices. He opined that the language of proposed AS 11.76.140 wouldn't apply to those who unwittingly loan their car to someone, and that it is different altogether for a car rental agency to rent a car without first ascertaining whether the person has any right to be driving that car. He acknowledged that since he is not in the car rental business, he probably wouldn't be looking at a person's driver's license before loaning his car to that person.

REPRESENTATIVE HOLMES suggested that proposed AS 11.76.140 could be rewritten such that in order to prosecute someone for loaning out his/her car, he/she must be shown to know that the person has a limited driver's license and is prohibited from driving any car that doesn't have an ignition interlock device installed.

REPRESENTATIVE MEYER concurred that perhaps that provision could be altered to ensure that one would have to know that the person he/she is loaning his/her car to isn't supposed to be driving [without an ignition interlock device], and surmised that rental car agencies could train their staffs to recognize such a restriction on a person's driver's license, though staff might still make a mistake. With regard to vehicle loans, he likened the situation to borrowing a car when one has a revoked license - the person isn't supposed to be doing that because he/she is not supposed to be driving - and questioned whether even in that situation it is the responsibility of the person loaning the car to ascertain whether the other person has a valid driver's license. He reiterated his argument that the majority of people with a limited driver's license are driving elsewhere other than to and from work anyway, and expressed a preference for putting the burden on the person borrowing the vehicle rather than on the person loaning out his/her vehicle.

REPRESENTATIVE DAHLSTROM said that although she agrees with the sponsor's intent, she has a problem with enabling a person to bypass his/her punishment after breaking the law. With regard to the sponsor's argument that the aforementioned people are driving anyway, she pointed out that the same could be said of people who are engaging in other illegal activities such as prostitution, drug dealing, and running child pornography rings - should those people be allowed to bypass their punishment for breaking the law just because they are going to be doing it anyway? She opined that all DUI offenders should lose their driver's licenses for at least 30 days regardless of the burden this places on them.

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REPRESENTATIVE MEYER reiterated his argument that such people are continuing to drive drunk anyway, and that the bill will ensure that they are at least driving sober.

REPRESENTATIVE DAHLSTROM recalled that testimony has indicated that by the time a person is pulled over for the first time for drunk driving, he/she has been driving drunk a hundred times; therefore, she suggested, perhaps the solution would be to take the person's car away for 30 days for the first offense.

REPRESENTATIVE MEYER offered his belief that such could not be done legally.

REPRESENTATIVE GRUENBERG, on the issue of Amendment 2, said:

Putting a car in the hands of a person with a drunk driving record is like giving a felon ... a firearm - it's putting a weapon in that person's hands and should only be done in accord with law. This is extremely serious. And if a felon is prohibited from possessing a firearm and you give them a gun, you're an accessory, and that's a felony. That's really serious, and this is just as serious as that. We had legislation before this committee last year on the tobacco violations; ... if a company gives tobacco to a minor and they lose their license for a period of time, ... that's a very serious offense, and that's a heck of a lot less serious than a [car] rental agency not reading a person's driver's license. I think they should be held to the highest standard in this matter. ... It's really serious if [an establishment owner violates] the law in giving liquor to somebody who shouldn't have it. ... The liquor is one half of the equation, the car is the other half - to commit the accident or whatever happens, you have to have the liquor and you have to have the car - and each should be dealt with, particularly in a commercial sense, really, really seriously.

REPRESENTATIVE GRUENBERG, on the issue of the standard, "knowingly", said:

We didn't put "intentionally" [in the legislation] in 1989, and we didn't use the standard of "negligence" either, but if I give my car keys to somebody, I better darn well know that that person has ... [the legal right to drive]. It's not just that [the person doesn't have a driver's license] ...; this is an absolute violation of the law. The judge or the department has said you've got to have this ... [ignition interlock device] on the car so you can't drive it if you've had any alcohol. And people need to know that if they are just giving the use of their car to their friend, they better be certain that that person isn't going to use it in this kind of a manner.

That's a really serious thing when you lend your car to somebody else, and "knowingly" is not a high standard at all. It's if you know what you're doing, so ... [you're not just leaving] the car key out and somebody takes it off the mantel piece. But I think

that people should be held at least to that standard. If you knowingly give your car to somebody, you ought to at least, if there is any doubt in your mind, [ask the person whether he/she is] allowed to drive this car.

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DUANE BANNOCK, Director, Division of Motor Vehicles (DMV), Department of Administration (DOA), in response to questions, relayed that currently on a first DUI offense, a person must wait 30 days before applying for a limited driver's license, and must wait 90 days if he/she has had multiple DUI offenses. Also under current law, only multiple DUI offenders are required to have an ignition interlock device installed in order to obtain a limited driver's license. He suggested, therefore, that HB 19 is somewhat of a hybrid of both aspects of current law, and thus it will be up to the House Judiciary Standing Committee to determine whether having a time during which one may not apply for a limited driver's license is appropriate.

MR. BANNOCK, with regard to one of the issues raised by Amendment 2, said that the fiscal note reflects the fact that the DMV would be producing an actual driver's license, one that would clearly state that the person has to have an ignition interlock device installed in any vehicle he/she drives - a license marked clearly enough that a car rental agency employee would be able to identify that restriction even at 2:00 a.m. Currently licenses have a blue stripe in the center wherein it says "DRIVER LICENSE" and "MOTORCYCLE"; should HB 19 become law, limited driver's licenses will contain a red stripe in the center wherein it will say "INTERLOCK IGNITION DEVICE LIMITED LICENSE". He pointed out that from a commercial aspect, every time he's rented a car he's had to show his driver's license. On the issue of loaning out a car, he said, "That's a tough call to make."

REPRESENTATIVE HOLMES noted that to violate proposed AS 11.76.140(a)(1), it requires an action on the part of the driver, whereas one could violate proposed AS 11.76.140(a)(2) simply by being careless. She suggested, therefore, that they make proposed AS 11.76.140(a)(1) a class A misdemeanor, and make proposed AS 11.76.140(a)(2) a class B misdemeanor.

CHAIR RAMRAS pointed out that Amendment 2 would simply delete paragraph (2).

REPRESENTATIVE SAMUELS asked Ms. Carpeneti to explain how difficult it will be to prosecute a rental car agent or a person who loans out his/her vehicle.

CHAIR RAMRAS asked Ms. Carpeneti to also speak to the issue of whether the committee would be better off modifying AS 11.76.140(a)(2). He noted that the point of Amendment 2 is to relieve those that rent or loan vehicles from liability.

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ANNE CARPENETI, Assistant Attorney General, Legal Services Section-Juneau, Criminal Division, Department of Law (DOL), said she doesn't think that it would be very difficult to prosecute someone for violating paragraph (2); the DOL would be looking to prosecute the person who knew that he/she was renting or loaning a vehicle to someone who had limitations on his/her driver's license. She said she agrees, however, that paragraph (2) could be clarified with regard to that point. Currently, with the term "knowingly" being located on page 1, line 7, it means "knowingly" renting or loaning a car; therefore, it could be clearer that the person not only "knowingly" rented or loaned the car but at the same time also knew that the person had limitations on his/her license.

REPRESENTATIVE GRUENBERG said that the intention behind the original statutory language was to place the responsibility on the person who knowingly rented the vehicle; without that language, a person, particularly in a commercial setting, would have no responsibility to determine whether the person even has a driver's license. Amendment 2 would completely gut the purpose of the law, which is to make certain "that people check before they loan their car".

MS. CARPENETI opined that in a commercial setting, that won't be much of a problem, noting that when she has attempted to rent a car only to discover that her driver's license had expired, she was not able to rent the car.

CHAIR RAMRAS said he doesn't want to put that obligation on people who rent or loan vehicles.

REPRESENTATIVE GRUENBERG pointed out that the term "knowingly" has not changed from the original legislation, and it addresses the question of what must the defendant know, and the intent was that the person know that he/she is renting the vehicle. It is up to that person to then check the driver's license, and it is

not a defense to claim ignorance of the fact that the driver is required to have an ignition interlock device in any vehicle he/she drives; the person has an obligation under current law to check the license.

REPRESENTATIVE GRUENBERG said he would be maintaining his objection to Amendment 2.

A roll call vote was taken. Representatives Dahlstrom, Coghill, Samuels, and Ramras voted in favor of Amendment 2. Representatives Gruenberg, Lynn, and Holmes voted against it. Therefore, Amendment 2 was adopted by a vote of 4-3.

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REPRESENTATIVE HOLMES made a motion to adopt Amendment 3, labeled 25-LS0133\M.5, Luckhaupt, 2/19/07, as amended to conform to Version K:

Page 4, lines 18-29:

Delete all material and insert:

"* **Sec. 5.** AS 28.35.030 is amended by adding a new subsection to read:

(u) When a defendant is convicted under this section, the court shall consider the use of an ignition interlock device as provided in AS 12.55.102 and shall make findings concerning the decision. The court shall require the use of an ignition interlock device for the entire period of probation or sentence or a portion thereof, when its use is consistent with the purposes stated in AS 12.55.005 and as needed to protect public safety.

* **Sec. 6.** AS 28.35.032 is amended by adding a new subsection to read:

(u) When a defendant is convicted under this section, the court shall consider the use of an ignition interlock device as provided in AS 12.55.102 and shall make findings concerning the decision. The court shall require the use of an ignition interlock device for the entire period of probation or sentence or a portion thereof, when its use is consistent with the purposes stated in AS 12.55.005 and as needed to protect public safety."

REPRESENTATIVE SAMUELS objected.

REPRESENTATIVE HOLMES offered that under Amendment 3, as amended, the court will be required to make a finding on whether the use of an ignition interlock device is appropriate for either the entire period of probation or a portion of it.

MR. BANNOCK surmised that Amendment 3, as amended, only pertains to the court, not the DMV.

REPRESENTATIVE MEYER said he doesn't have a problem with Amendment 3, as amended, offering his understanding that it will strengthen the penalty by giving the court the ability to require the use of an ignition interlock device throughout the period of probation. He characterized having to use an ignition interlock device as a punishment.

CHAIR RAMRAS countered that allowing for the use of an ignition interlock device actually lessens the punishments already outlined in statute.

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DOUG WOOLIVER, Administrative Attorney, Administrative Staff, Office of the Administrative Director, Alaska Court System (ACS), surmised that Amendment 3, as amended, goes to the issue of probation, not limited driver's licenses. Currently, the court has the authority to place someone on probation for up to 10 years and has additional authority to include as a condition of probation the use of an ignition interlock device. Under Amendment 3, as amended, the court would be required to consider the use of an ignition interlock device in each DUI case; currently such consideration is not required - it is simply an option.

CHAIR RAMRAS asked whether Amendment 3, as amended, would give the court the discretion to not grant the use of a limited driver's license for the first 30 days of a license revocation.

REPRESENTATIVE GRUENBERG clarified that the language currently in Sections 5 and 6 was added in the House State Affairs Standing Committee, but it wasn't drafted correctly and would actually reduce the court's probation authority, and so now that language needs to be replaced, which is what Amendment 3, as amended, is proposing to do.

MR. WOOLIVER, in response to a question, offered his belief that the court can implement Amendment 3, as amended, though making the proposed required finding in each DUI case could take time

but not so much as to have a significant impact on the flow of cases.

REPRESENTATIVE HOLMES suggested that having the court actively consider, in each case, whether an ignition interlock device should be used is appropriate, and could relieve the DMV of having to make that determination in some cases.

REPRESENTATIVE MEYER reiterated that he has no problem with Amendment 3, as amended.

MR. BANNOCK relayed that the DMV has no problem with Amendment 3, as amended.

REPRESENTATIVE SAMUELS removed his objection.

CHAIR RAMRAS asked whether there were any further objections to Amendment 3, as amended. There being none, Amendment 3, as amended, was adopted.

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REPRESENTATIVE SAMUELS expressed concern with the concept of allowing someone to obtain a limited driver's license right after committing a DUI offense.

MR. BANNOCK, in response to a question, reiterated that currently on a first DUI offense - which carries with it a 90-day license revocation period - a person must wait 30 days before applying for a limited driver's license, and must wait 90 days if he/she has had multiple DUI offenses. Under HB 19, a person could get a limited driver's license right away as soon as he/she gets an ignition interlock device installed; he/she would still have his/her driver's license revoked, though, and would merely be driving with a limited driver's license.

REPRESENTATIVE SAMUELS asked what the effect would be on the DMV if the legislature retains a 30-day prohibition on applying for a limited driver's license.

MR. BANNOCK said the DMV could adapt to such a prohibition because that is what occurs now.

REPRESENTATIVE SAMUELS opined that having a period of time in which one is not allowed to drive at all is part of the punishment that is meant to deter DUI behavior, and this is negated by HB 19.

MR. PAWLOWSKI, in response to comments, offered that although the bill will allow people to start driving again right away, they will be doing so in a sober manner.

MR. BANNOCK, in response to a question, offered his belief that the bill will encourage people to follow the law, which is intended to keep people who are impaired from driving. He relayed that a friend of his acquired a limited driver's license, was using it to drive to and from work, but because a grocery store was located on that same route, he questioned whether he would be allowed to stop at the store on the way home from work; Mr. Bannock said his response to his friend was that if his friend did stop at the store, he might very well have to answer for that if a law enforcement officer questions him. Mr. Bannock offered his understanding that in his friend's case, under the bill, the issue won't be where he drives or when he drives but rather that when he is driving during his license revocation period, whether that's for the entire 90 days or just the last 60 days, that he is driving sober. Mr. Bannock pointed out that via the use of ignition interlock device programs, other states have seen success in their ultimate goal of reducing injuries, accidents, and deaths as a result of drunk driving.

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REPRESENTATIVE MEYER said his concern with prohibiting someone from being granted a limited driver's license for the first 30 days of a revocation period is that he/she will be driving anyway during that time and that he/she will then continue driving without a driver's license for the remainder of the revocation period.

CHAIR RAMRAS questioned whether allowing convicted drunk drivers to get right back on the road isn't simply allowing those that can afford to pay for the ignition interlock devices to break the state's DUI laws and yet still be allowed to drive right away - in effect, lessening the penalty for a DUI offense.

MR. BANNOCK, in response to a question, explained that when a person is stopped for a DUI offense, the officer takes away the person's driver's license and replaces it with a piece of paper called a "Notice and Order of Revocation", which says that the license revocation will start seven days later, and that Smart Start, Inc., can get an ignition interlock installed in a day.

REPRESENTATIVE GRUENBERG said he is still concerned about the change made via Amendment 2.

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REPRESENTATIVE GRUENBERG made a motion to adopt Conceptual Amendment 4, to [instead of deleting proposed AS 11.76.140(a)(2)] simply alter the language such that in a commercial rental or lease situation, the standard would be knowingly renting or leasing the vehicle regardless of whether the company knew of the limited driver's license, and in a noncommercial loan situation, the standard would be knowing that one is loaning the vehicle and with criminal negligence failing to determine whether the person has a limited [driver's] license. The standard of criminal negligence, he explained, is the same standard used in situations wherein a liquor establishment serves alcohol to an inebriated person.

REPRESENTATIVE SAMUELS objected. He questioned who would be liable in a commercial situation - the individual agent or the company - and who would pursue the issue for prosecution purposes.

REPRESENTATIVE GRUENBERG, in response to a request for clarification, repeated Conceptual Amendment 4.

A roll call vote was taken. Representative Gruenberg voted in favor of Conceptual Amendment 4. Representatives Dahlstrom, Coghill, Samuels, Lynn, Holmes, and Ramras voted against it. Therefore, Conceptual Amendment 4 failed by a vote of 1-6.

REPRESENTATIVE SAMUELS said he would like the sponsor to report back to the committee in a year and relay how many people actually get a limited driver's license under the new law; this will allow the committee to see whether the bill has had any effect or whether people are still just ignoring the law and driving without any form of license and without having an ignition interlock device installed.

REPRESENTATIVE HOLMES said she still has a concern regarding the availability of ignition interlock device technology in rural areas of the state, adding that she does not want to restrict a person's ability to be granted a limited driver's license just because he/she doesn't have access to such technology.

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REPRESENTATIVE SAMUELS moved to report the proposed CS for HB 19, Version 25-LS0133\K, Luckhaupt, 2/16/07, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 19(JUD) was reported from the House Judiciary Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 3:00 p.m.