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FISCAL IMPACT REPORT

ORIGINAL DATE 02/13/13

SPONSOR Griggs LAST UPDATED _____ HB _____

SHORT TITLE DWI Interlocks for Certain Crimes SB 442

ANALYST Jorgensen

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY13	FY14	FY15		
NFI	Unknown	Unknown	Recurring	

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)
Public Defender Department (PDD)
Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 442 proposes to allow those convicted of great bodily harm or vehicular homicide by DWI to obtain an ignition interlock license after completion of their sentences

FISCAL IMPLICATIONS

The Taxation and Revenue Department receives a fee of \$45.00 for each limited license issuance. It is unknown what, if any, the increased demand for these licenses will be as a result of this legislation becoming law.

SIGNIFICANT ISSUES

The AGO has noted the following:

Despite the fact that driving is a privilege, it is one that cannot be removed with some form of due process. That process for an offender convicted of vehicular homicide or great bodily injury by vehicle should come in the form of an administrative hearing in

front of a DMV administrative hearing officer. If the offender wants to try to drive again, a hearing must be held to determine if the offender is 1) fit to drive; 2) competent to drive and 3) has the necessary skills and abilities to drive.

TECHNICAL ISSUES

On page 4, line 7, “traffic safety bureau” is now renamed as Traffic Safety Division of NMDOT.

NCJ/blm