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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **2229**

March 19, 2007

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act  
1.2 relating to public safety; establishing ignition interlock device pilot project  
1.3 for repeat DWI offenders and providing a temporary exception to mandatory  
1.4 sentencing law for offenders required to use these devices; amending Minnesota  
1.5 Statutes 2006, section 169A.275, by adding a subdivision; proposing coding for  
1.6 new law in Minnesota Statutes, chapter 171.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2006, section 169A.275, is amended by adding a  
1.9 subdivision to read:

1.10 Subd. 7. **Exception.** (a) A judge is not required to sentence a person as provided  
1.11 in this section if the judge requires the person as a condition of probation to drive only  
1.12 motor vehicles equipped with an ignition interlock device meeting the standards described  
1.13 in section 171.306.

1.14 (b) This subdivision expires July 1, 2009.

1.15 **EFFECTIVE DATE.** This section is effective July 1, 2007, and applies to crimes  
1.16 committed on or after that date.

1.17 Sec. 2. **[171.306] IGNITION INTERLOCK DEVICE PILOT PROJECT.**

1.18 Subdivision 1. **Pilot project established; reports.** The commissioner shall  
1.19 conduct a two-year ignition interlock device pilot project as provided in this section. The  
1.20 commissioner shall select one metropolitan county and one rural county to participate in  
1.21 the pilot project. The pilot project must begin on July 1, 2007, and continue until June 30,  
1.22 2009. The commissioner shall submit a preliminary report by February 1, 2008, and a final  
1.23 report by February 1, 2009, to the chairs and ranking minority members of the senate and  
1.24 house of representatives committees having jurisdiction over criminal justice policy and

2.1 funding. The reports must evaluate the successes and failures of the pilot project, provide  
2.2 information on participation rates, and make recommendations on continuing the project.

2.3 Subd. 2. **Performance standards; certification.** The commissioner shall determine  
2.4 appropriate performance standards and a certification process for ignition interlock  
2.5 devices for the pilot project. Only devices certified by the commissioner as meeting the  
2.6 performance standards may be used in the pilot project.

2.7 Subd. 3. **Pilot project components.** (a) Under the pilot project, the commissioner  
2.8 shall issue a driver's license for individuals whose drivers' licenses have been revoked  
2.9 under chapter 169A for a repeat DWI-related offense if the person qualifies under this  
2.10 section and agrees to all of the conditions of the project.

2.11 (b) The driver's license must be clearly labeled an ignition interlock restricted  
2.12 license. The license must authorize the person to drive only vehicles having functioning  
2.13 ignition interlock devices conforming with the requirements of subdivision 2. The license  
2.14 must be valid for all legal driving activities.

2.15 (c) A person is eligible for a license under this section after (1) a 15-day waiting  
2.16 period if the person has a qualified prior impaired driving incident, as defined in section  
2.17 169A.03, subdivision 22; (2) a 30-day waiting period if the person has two qualified prior  
2.18 impaired driving incidents and has not yet been required to demonstrate rehabilitation; or  
2.19 (3) a 60-day waiting period if the person has two qualified prior impaired driving incidents  
2.20 and has been required to demonstrate rehabilitation.

2.21 (d) The commissioner shall determine the appropriate period for which a person  
2.22 is subject to this project and when the person is eligible to be issued a full nonignition  
2.23 interlock restricted license.

2.24 (e) A person participating in this pilot project shall agree to participate in any  
2.25 treatment recommended by a chemical use assessment.

2.26 (f) The commissioner shall determine guidelines for participation in the project.  
2.27 A person participating in the project shall sign a written agreement accepting these  
2.28 guidelines and agreeing to comply with them.

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.