

Amendment to SB 346

1 Amend the bill by replacing sections 1 and 2 with the following:

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3 1 Words and Phrases Defined; Enhanced Technology Interlock Device. Amend RSA 259:28-b to
4 read as follows:

5 259:28-b Enhanced Technology Ignition Interlock Device. "Enhanced technology ignition
6 interlock device" shall mean an ignition interlock device equipped with a camera and which [is
7 ~~capable of transmitting data as events occur~~] ***will transmit data as events occur and is capable***
8 ***of capturing and encoding as events occur a digital or photographic image of the vehicle***
9 ***driver including the time, date, and breath alcohol level of all breath attempts. Images***
10 ***and data shall be stored by the manufacturer for 3 years.***

11 2 New Paragraph; Alcohol Ignition Interlock Program. Amend RSA 265-A:36 by inserting after
12 paragraph IV the following new paragraph:

13 IV-a. Wherever the term "alcohol ignition interlock device" or "ignition interlock device" is
14 referred to in this chapter or in department administrative rules, it shall mean an enhanced
15 technology ignition interlock device, as defined in RSA 259:28-b. A device installed on or before
16 January 1, 2019 that is not an enhanced technology ignition interlock device may, if it is
17 recalibrated within 30 days of installation and every 60 days thereafter, continue to be operated in
18 the vehicle in which it was installed until January 1, 2022 or such time as the vehicle is replaced
19 with a different vehicle, whichever occurs first, at which time it shall be replaced with an enhanced
20 technology ignition interlock device.

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22 Amend the bill by replacing all after section 3 with the following:

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24 4 Alcohol Ignition Interlock Device; Recalibration. RSA 265-A:36, VI(a) is repealed and
25 reenacted to read as follows:

26 (a) Provide recalibration of each enhanced technology ignition interlock device no less
27 frequently than every 180 days unless otherwise ordered by the court;

28 5 Alcohol Ignition Interlock Device; Recalibration. Amend RSA 265-A:36, VI(g) to read as
29 follows:

30 (g) Provide reports to the department when data specified in department rules becomes
31 available. ***The reports shall be provided no less frequently than every 60 days.*** The
32 department shall make data from the reports available to the director of the division of motor

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1 vehicles, appropriate prosecutor, prosecuting agency, treatment provider, probation officer, and
2 defense attorney by means of authorizing the interlock provider to provide these entities with
3 secure electronic access to the data via the interlock provider's web-based portal.

4 6 Effective Date.

5 I. Section 4 of this act shall take effect January 1, 2022.

6 II. The remainder of this act shall take effect January 1, 2019.

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AMENDED ANALYSIS

This bill requires that all ignition interlock devices required to be installed after the effective date of the bill be enhanced technology ignition interlock devices. This bill also eliminates the authority of the department of safety to order installation of an ignition interlock device in DWI cases not involving alcohol.