

1 HB55
2 196318-1
3 By Representative Mooney
4 RFD: Public Safety and Homeland Security
5 First Read: 05-MAR-19
6 PFD: 03/04/2019

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8 SYNOPSIS: Under existing law, Act 2018-517 of the 2018
9 Regular Session provides that a person charged with
10 driving under the influence of alcohol or drugs and
11 approved for any pretrial diversion program is
12 required to install an approved ignition interlock
13 device for a minimum of six months or the duration
14 of the pretrial diversion program. Act 2018-517
15 further amends the driving under the influence law
16 to delete this requirement effective five years
17 from the effective date of Act 2018-517.

18 This bill would repeal the future amendment
19 of the driving under the influence law to preserve
20 the provisions of the law requiring the
21 installation of an ignition interlock device in
22 pretrial diversion cases and would amend Act
23 2018-517, to make conforming changes.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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2 Relating to driving under the influence and the
3 requirements for the installation of an ignition interlock
4 device by a person charged with driving under the influence
5 and approved for pretrial diversion program; to repeal Section
6 2 of Act 2018-517 of the 2018 Regular Session, now appearing
7 as Section 32-5A-191 of the Code of Alabama 1975, effective
8 July 1, 2023, which would delete provisions requiring the
9 installation of ignition interlock by a person charged with
10 driving under the influence and approved for a pretrial
11 diversion program; and to amend Section 4 of Act 2018-517 of
12 the 2018 Regular Session to conform to this act.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 2 of Act 2018-517 of the 2018
15 Regular Session, now appearing as Section 32-5A-191, effective
16 July 1, 2013, is repealed.

17 Section 2. Section 4 of Act 2018-517 of the 2018
18 Regular Session is amended to read as follows:

19 "(a) The provisions of Section 1 ~~and Section 2~~ shall
20 govern the construction and punishment for any offense defined
21 in Section 1 ~~and Section 2~~ committed after the effective date
22 of this act, ~~except the provisions of subsection (y) of~~
23 ~~Section 32-5A-191, Code of Alabama 1975, as amended by Section~~
24 ~~1, shall only apply for five years after the effective date of~~
25 ~~this act.~~

26 "(b) The provisions of Section 1 do not apply to or
27 govern the construction and punishment of any offense

1 committed prior to the effective date of this act. ~~The~~
2 ~~provisions of Section 2 do not apply to or govern the~~
3 ~~construction and punishment of any offense committed prior to~~
4 ~~the effective date of Section 2."~~

5 Section 3. This act shall become effective
6 immediately following its passage and approval by the
7 Governor, or its otherwise becoming law.