

## AMENDMENTS TO SENATE BILL NO. 290

Sponsor: REPRESENTATIVE GREINER

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1 Amend Bill, page 2, line 6, by striking out "or" and  
2 inserting a comma

3 Amend Bill, page 2, line 7, by inserting after "substance)"  
4 or under former section 3731 (relating to driving under  
5 influence of alcohol or controlled substance) or a violation  
6 substantially similar to a violation under 3802 or former  
7 section 3731 in another jurisdiction.

8 Amend Bill, page 8, line 11, by inserting after "suspended"  
9 or revoked

10 Amend Bill, page 8, line 16, by inserting after "substance)"  
11 or a violation substantially similar to a violation  
12 under this paragraph in another jurisdiction

13 Amend Bill, page 8, lines 22 through 24, by striking out "one  
14 motor vehicle owned, leased or" in line 22, all of line 23 and  
15 "often operates," in line 24 and inserting  
16 any motor vehicle to be operated by the individual

17 Amend Bill, page 8, line 27, by inserting after "license."  
18 Any vehicle to be operated by the individual, during any  
19 period in which the individual holds a valid ignition  
20 interlock limited license, must be equipped with an ignition  
21 interlock system.

22 Amend Bill, page 11, line 12, by inserting after "suspended"  
23 or revoked

24 Amend Bill, page 11, line 13, by inserting after "3802"  
25 or under former section 3731 or an offense substantially  
26 similar to an offense under section 3802 or former section 3731  
27 in another jurisdiction

1 Amend Bill, page 11, line 15, by inserting after "suspension"  
2 or revocation

3 Amend Bill, page 12, lines 9 through 12, by striking out  
4 "Credit against mandatory ignition interlock" in line 9, all of  
5 lines 10 and 11 and "(f) shall be counted toward satisfaction  
6 of" in line 12 and inserting

7 Duration.--An individual may hold a valid ignition interlock  
8 limited license under this section for the duration of the

9 Amend Bill, page 12, lines 15 through 22, by striking out all  
10 of said lines and inserting

11 (h) Required proof.--The department shall issue an ignition  
12 interlock limited license under the provisions of this section  
13 only upon receiving proof that any motor vehicle to be operated  
14 by the individual has been equipped with an approved ignition  
15 interlock system as defined in section 3801 as a condition of  
16 issuing an ignition interlock limited license. Any vehicle to be  
17 operated by the individual, during any period in which the  
18 individual holds a valid ignition interlock limited license,  
19 must be equipped with an ignition interlock system.

20 Amend Bill, page 12, line 23, by striking out "committed" and  
21 inserting

22 reported

23 Amend Bill, page 12, line 25, by striking out "of conviction"

24 Amend Bill, page 13, by inserting between lines 17 and 18

25 (k) Employment exemption.--If a person with an ignition  
26 interlock limited license is required in the course and scope of  
27 employment to drive, operate or be in actual physical control of  
28 the movement of a motor vehicle owned by the person's employer,  
29 the following apply:

30 (1) except as set forth in paragraph (2), the person may  
31 drive, operate or be in actual physical control of the  
32 movement of that motor vehicle in the course and scope of  
33 employment without installation of an ignition interlock  
34 system if:

35 (i) the employer has been notified that the employee  
36 is restricted; and

37 (ii) the employee has proof of the notification in  
38 the employee's possession while driving, operating or  
39 being in actual physical control of the movement of the  
40 employer's motor vehicle. Proof of the notification may

1 be established only by the notarized signature of the  
2 employer acknowledging notification on a form which shall  
3 be provided by the department for this purpose and shall  
4 include a contact telephone number of the employer.

5 (2) Paragraph (1) does not apply in any of the following  
6 circumstances:

7 (i) To the extent that an employer-owned motor  
8 vehicle is made available to the employee for personal  
9 use.

10 (ii) If the employer-owned motor vehicle is owned by  
11 an entity which is wholly or partially owned or  
12 controlled by the person subject to this section.

13 (iii) If the employer-owned motor vehicle is a  
14 school bus, a school vehicle or a vehicle designed to  
15 transport more than 15 passengers, including the driver.

16 Amend Bill, page 13, line 18, by striking out "(k)" and  
17 inserting

18 (l)

19 Amend Bill, page 14, line 15, by inserting a bracket before  
20 "If"

21 Amend Bill, page 14, line 15, by inserting after "rule.--If"

22 ] Except as provided under subsection (a.1), if

23 Amend Bill, page 14, lines 18 through 22, by striking out the  
24 comma in line 18, all of lines 19 through 21 and "prior-  
25 offenses), within the past 10 years," in line 22

26 Amend Bill, page 15, lines 2 through 4, by striking out "One  
27 motor vehicle owned, leased or" in line 2, all of line 3 and  
28 "often operates," in line 4 and inserting

29 Any motor vehicle to be operated by the individual

30 Amend Bill, page 15, line 9, by inserting after "department"  
31 in accordance with the department's regulations

32 Amend Bill, page 15, by inserting between lines 13 and 14

33 (a.1) Exception.--Subsection (a) shall not apply to an  
34 individual who meets all of the following:

35 (1) Is subject to the penalties under section 3804(a)(1)  
36 (relating to penalties).

37 (2) Has not had a prior offense, as defined under  
38 section 3806 (relating to prior offenses).

1 Amend Bill, page 16, line 6, by striking out "company" and  
2 inserting  
3 vendor

4 Amend Bill, page 18, line 14, by inserting after "license"  
5 1553(d.2) (relating to occupational limited license),

6 Amend Bill, page 18, line 27, by inserting after "3808(a)"  
7 , (b)

8 Amend Bill, page 20, line 9, by striking out all of said line  
9 and inserting

10 (b) Tampering with an ignition interlock system.--A person  
11 that tampers with an ignition interlock system required by law  
12 commits a misdemeanor and shall, upon conviction, be sentenced  
13 to pay a fine of not less than \$300 nor more than \$1,000 and to  
14 undergo imprisonment for not more than 90 days. An offense under  
15 this subsection shall be deemed to have been committed at either  
16 the location where tampering occurred or the place where the  
17 vehicle containing the ignition interlock system required by law  
18 is registered. The term "tampering," in addition to any physical  
19 act which is intended to alter or interfere with the proper  
20 functioning of an ignition interlock system required by law,  
21 shall include attempting to circumvent or bypass or  
22 circumventing or bypassing an ignition interlock system by:  
23 (1) means of using another individual to provide a  
24 breath sample; or  
25 (2) providing a breath sample for the purpose of  
26 bypassing an ignition interlock system required by law.