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**TESTIMONY OF  
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**R.B. 1044, AN ACT CONCERNING A DEFINITE PERIOD OF LICENSE  
SUSPENSION IN THE CASES OF A PERSON WHO DOES NOT USE AN  
APPROVED IGNITION INTERLOCK DEVICE**

**JUDICIARY COMMITTEE, MARCH 24, 2017**

The Office of Chief Public Defender requests that this Committee vote favorably on ***R.B. 1044, An Act Concerning A Definite Period Of License Suspension In The Cases Of A Person Who Does Not Use An Approved Ignition Interlock Device.*** The adoption of previous legislation requiring the installation of an IID after the first 45 days and the requirement to drive with the IID on the car for a specific time period as a condition of a license restoration has resulted in an unintended consequence. Persons who do not own a motor vehicle or who cannot afford the costly installation and monthly monitoring fees are never able to have their licenses restored. This legislation attempts to create a definite time period for all license suspensions resulting from a conviction for violating the laws regarding driving under the influence. The Office of Chief Public Defender has been discussing this proposal with the Division of Criminal Justice and MADD on a solution to the inequity that currently exists. It is hoped that a solution will be reached by the time of the JF deadline for this Committee. All parties have committed to working on a solution.

A person who is indigent and does not own a car is unable to install the IID. If someone does not own a Motor Vehicle, or have the permission of the owner of a motor vehicle to install an IID, that person can never get his or her license restored. The above suspensions amount to lifetime suspensions if one is not able to install an IID. Many or most Public Defender clients do not own or do not have access to a motor vehicle to

install an IID. Therefore, they can never get their license restored. As a result, the indigent person's license is in essence suspended for life. Furthermore, even if someone does have access to a MV to install an IID, the annual costs have been reported to range from \$1559 for one year to \$3307 for 3 years, tax not included. This expense can be prohibitive to low or middle class individuals. See attached Chart.

Under current law, if a person is convicted for a first time pursuant to C.G.S. §14-227a, that person's license is suspended. After 45 days, the person's license is restored if they install an Ignition Interlock Device on their car and maintain it on the car for one year. This proposal sets a 1 year and 45 day hard suspension of a person's license if convicted. If the person is able to install the IID, they are able to drive after the initial 45 days. In no event will a license suspension exceed 1 year and 45 days.

A person so convicted for a second time has their license suspended for 45 days after which their license is restored if they install an IID on their car and maintain it on the car for 3 years. An exception to being able to drive is that during the first year, the person is limited to driving school, work, substance abuse treatment, an IID service center or Probation even though the car is equipped with the IID. The proposal sets a 3 year and 45 day hard suspension of a person's license if convicted. If the person is able to install the IID, they are able to drive in accordance with the current statutory restrictions. However, the bill provides that in no event will a license suspension exceed 3 years and 45 days.

Lastly, for a 3<sup>rd</sup> or subsequent conviction, a person's license is permanently revoked. There is, however, a provision that a person may, after 2 years, apply to the DMV for an IID. If the request is granted, then the person may drive only with a lifetime requirement of an IID. Current law provides that after 15 years a person, who has installed an IID, could apply to DMV to remove the IID. The bill would provide that in no event would a license suspension exceed 15 years.

This Office appreciates the opportunity to work collaboratively with the Division of Criminal Justice and MADD to resolve the issue presented.