

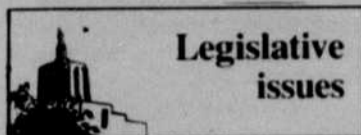
In-car breathalyzer bill designed to curb drunk driving

By Deb Janes

Of the Emerald

Drunk drivers will face one more roadblock if House Bill 2449 is approved by the Oregon Senate this session.

As a condition for receiving an occupational driver's license, the bill will require convicted drunk drivers to install a device in their cars that will prevent them from starting the car until they take a



Legislative issues

breathalyzer test.

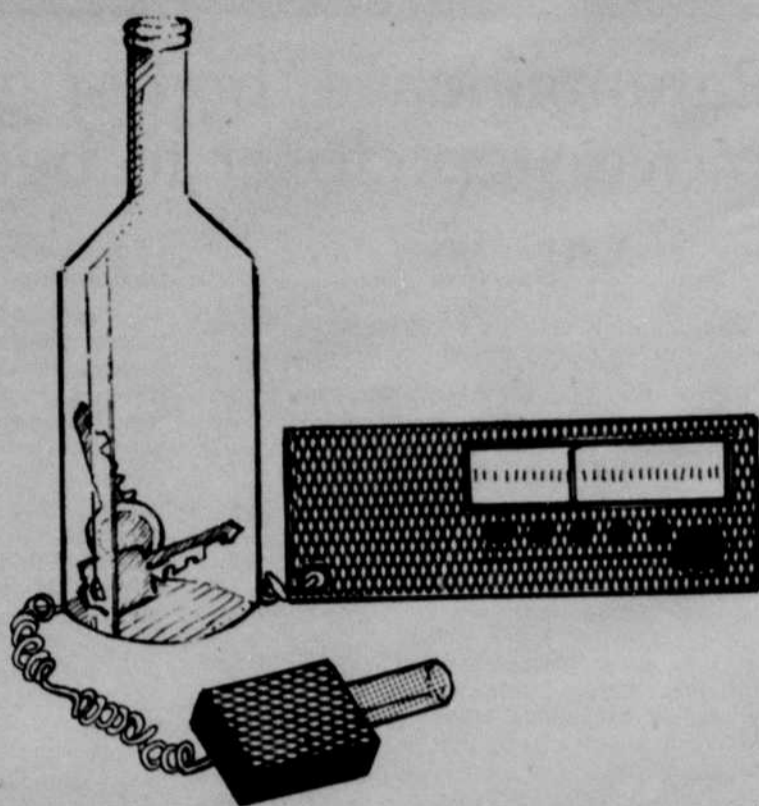
The bill, brainchild of Rep. Dick Springer, D-Portland, passed 48-3 in the House this month. Springer predicts the bill also will pass the Senate.

"It will provide the courts with another deterrent; it will be a potentially significant impact on repeat offenders," he said.

As the law stands, first-time offenders have their licenses suspended for one year, and the second offense results in a three-year suspension. In addition, the judge often will require a first-time offender to attend an alcoholic treatment program, pay a \$500 fine and perform either 80 hours of community service or serve two days in jail.

Currently, the first-time offender often can receive an occupational license during the suspended time, allowing the offender to drive to and from work.

Under the bill's provisions, however, a judge may require a recipient of an occupational license to install an ignition in-



Graphic by Lorraine Rath

terlock machine in the car.

"At the moment we're not doing a great job. Those that have an occupational license are still killing people," said Gil Bellamy, administrator of the Oregon Traffic Safety Commission. "This (bill) will be one more way to deter an alcoholic who has a tough time passing by a tavern."

If the bill passes, a pilot program will be set up in three counties, affecting about 1,000 offenders.

The convicted drunk driver will pay for the interlock machine. The device costs \$468, according to a public relations official at Guardian Interlock Systems Inc., one of

three manufacturers of the machines.

"We want to make it expensive enough and embarrassing enough that they might stop and think about driving if they're drinking," said Barbara Stoeffler, chapter founder of the Lane County Mothers Against Drunk Driving. Members of MADD have written legislators encouraging them to vote for

HB 2449 and have testified at legislative hearings on behalf of the bill.

The California Legislature passed a similar law in September 1986, and Washington state gave the green light to the interlock program in May 1987. Twelve other state legislatures currently are reviewing similar bills.

The California program has not been entirely successful because many of the offenders cannot afford the cost of the machine, according to Springer.

The Oregon bill allocates a fund of about \$70,000 to cover the costs of indigent offenders, Springer said. Fines paid by other offenders will supply the revenue for the fund.

Springer crafted the bill to prevent the offender from circumventing the device, he said. A person furnishing a drunk driver with a car without an interlock device will face a Class A traffic infraction as will a sober person who submits to the test for the drunk offender.

The device will indicate tampering with a red flashing light, said Jane Harding, a public relations official for Guardian Interlock Systems.

The machine also demands a complicated breathing code in order to unlock the ignition; a code that would be nearly impossible for a drunk person to

teach a sober person, she said.

The bill does not violate any specific civil liberties, according to Stevie Remington, the executive director of the Oregon American Civil Liberties Union.

"The driver asks for the privilege to drive on the highways. He or she has implied consent and therefore can be subjected to a breathalyzer test," Remington said.

"The state can put restrictions on driver's licenses," Bellamy said. "What happens on public streets is everybody's business. One person's license can be a death warrant for someone else."

Only 15 percent of those who apply for occupational licenses receive them, he added.

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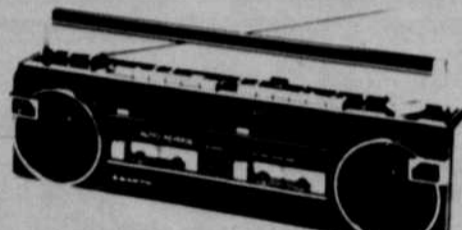
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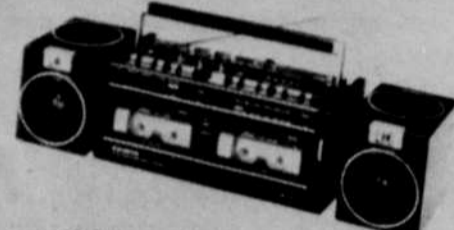
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