



STATE OF RHODE ISLAND

DIVISION OF MOTOR VEHICLES
ADMINISTRATION OFFICE
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February 9, 2021

The Honorable Robert E. Craven, Sr.
Chair, House Committee on Judiciary
State House
Providence, RI 02903

**RE: 2021 H-5094- AN ACT RELATING TO MOTOR AND OTHER VEHICLES
- MOTOR VEHICLE OFFENSES**

Dear Chairperson Craven:

The Division of Motor Vehicles ("DMV") respectfully requests amendments to House Bill 5094, An Act Relating to Motor and Other Vehicles-Motor Vehicle Offenses, to: (1) provide that it shall become effective one (1) year after passage; and (2) clarify who is required to send the finalized report to the DMV prior to license reinstatement and what form the report will take.

The proposed bill contains a major revision to the penalties that can be imposed on motorists convicted of driving under the influence or refusal to submit to a chemical test by allowing the sentencing court to require blood and/or urine testing in addition to, or in lieu of, installation of an ignition interlock system in appropriate circumstances. The proposed bill also allows blood and/or urine testing to be ordered in addition to, or in lieu of, installation of an ignition interlock system in conjunction with the granting of a conditional hardship license.

Under current law a conditional hardship license can only be granted in conjunction with the installation of an ignition interlock system. Based on this requirement the DMV's computer system, RIMS, is programmed to automatically place a U restriction, for ignition interlock system required, when a Y restriction, for hardship license, is added to a motorist's license. By allowing for a conditional hardship license to be granted without the requirement of an ignition interlock system the proposed bill would allow for the placement of the Y restriction without the U restriction. The DMV requires one year to complete the RIMS programming necessary to accomplish this change. While it may sound like a simple task it will require development changes to fifteen different license transactions and to the reinstatement transaction, which is the most complicated transaction in RIMS because it is connected to all license and registration transactions, as well as thorough testing both internally and with our interface

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partners to ensure proper implementation. A year is necessary to effectuate this change to allow the DMV simultaneously to continue to develop enhanced online transaction capabilities as part of our ongoing efforts to provide customers alternatives to appearing in-person at the DMV during the pandemic. As such, the DMV respectfully requests an amendment to the bill's effective date from upon passage to one (1) year after passage.

The proposed bill, in proposed subsection 31-27-2.8(b)(7)(iii)(F), requires that "[u]pon completion of the license suspension, conditional hardship, ignition interlock and substance abuse testing periods, a finalized report shall be presented to the department of motor vehicles prior to any license reinstatement." It is not specified which person or entity, whether it is the sentencing court, the motorist, or another person or entity, is required to present the report to the DMV. Nor is it specified what form the report must take, whether it be an electronic clearance from the sentencing court, a paper certification, or other alternative. The DMV respectfully requests amendments to this subsection to make these clarifications to ensure proper implementation.

The DMV looks forward to working with the sponsor going forward to draft revisions to the proposed bill that are mutually agreeable.

Thank you for your consideration.

Sincerely,



Walter R. Craddock, Esq., CFP®
Administrator

Cc: Honorable Jason Knight
Honorable Members of the House Committee on Judiciary
Nicole McCarty, Chief Legal Counsel