SENATE DOCKET, NO. 3 FILED ON: 1/2/2019

SENATE . . . . . No. 2137

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to strengthening public safety through interlock devices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Bruce E. Tarr	*First Essex and Middlesex*	
Viriato M. deMacedo	*Plymouth and Barnstable*	*1/31/2019*
Timothy R. Whelan	*1st Barnstable*	*2/4/2019*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*2/8/2019*
William L. Crocker, Jr.	*2nd Barnstable*	*2/8/2019*
Patrick M. O'Connor	*Plymouth and Norfolk*	*2/14/2019*
Brian W. Murray	*10th Worcester*	*2/14/2019*
Michael O. Moore	*Second Worcester*	*4/24/2019*
John F. Keenan	*Norfolk and Plymouth*	*5/4/2019*
Paul R. Feeney	*Bristol and Norfolk*	*9/20/2019*
Ryan C. Fattman	*Worcester and Norfolk*	*11/22/2019*

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SENATE . . . . . No. 2137

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2137) of Bruce E. Tarr, Viriato M. deMacedo, Timothy R. Whelan, Joanne M. Comerford and other members of the General Court for legislation relative to strengthening public safety through interlock devices. Transportation.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to strengthening public safety through interlock devices.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 24 of Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 319, the words “or twenty-four E,”.

SECTION 2. Said Section 24 of said Chapter 90, as so appearing, is hereby further amended by inserting after the figure “(b)”, in line 320, the following words:- for being under the influence of a controlled substance or the vapors of glue.

SECTION 3. Subparagraph (1) of paragraph (c) of subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby amended by adding the following paragraph:- Where the license or right to operate has been revoked pursuant to sections 24D or 24E or pursuant to paragraph (b), for operating a motor vehicle with a percentage, by weight, of alcohol in the operator’s blood of .08 or greater, and such person has not been convicted of a like offense or has not been assigned to an alcohol or controlled substance education, treatment or rehabilitation program because of a like offense by a court of the commonwealth or any other jurisdiction

preceding the date of the commission of the offense for which the operator was convicted, the registrar shall not restore the license or reinstate the right to operate to that person unless the prosecution of that person has been terminated in favor of the defendant, until 1 year after the date of conviction; provided, however, that such person may, after receiving notice of the revocation from the registrar, apply for the issuance of an ignition interlock license. Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. Failure of the operator to remain in compliance with court probation shall be cause for immediate revocation of the ignition interlock license. The registrar shall provide notice of a revocation to the person issued the ignition interlock license at the address of record at the registry.

SECTION 4. Said Section 24 of said Chapter 90, as so appearing, is hereby further amended by inserting after the figure “(b)”, in line 347, the following words:- for being under the influence of a controlled substance or the vapors of glue.

SECTION 5. Subparagraph (2) of said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby amended by striking out the last sentence.

SECTION 6. Said subparagraph (2) of said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby further amended by adding the following paragraph:- Where the license or the right to operate of a person has been revoked pursuant to paragraph (b) for operating a motor vehicle with a percentage, by weight, of alcohol in the operator's blood of .08 or greater and that person has been previously convicted of a like offense or assigned to an alcohol or controlled substance education, treatment or rehabilitation program by a court of the commonwealth or any other jurisdiction because of a like offense preceding the date of the commission of the offense for which that person has been convicted, the registrar shall not restore the license or reinstate the right to operate of that person unless the prosecution from the registrar, apply for the issuance of an ignition interlock license. That person shall provide proof in a format acceptable to the registrar that the person has enrolled in and is successfully completing the residential treatment program in subparagraph (4) of paragraph (a) of subdivision (1) or a treatment program mandated by section 24D or has completed the incarcerated portion of the sentence. Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. Failure of the operator to remain in compliance with court probation shall be cause for immediate revocation of the ignition interlock license. The registrar shall provide notice of a revocation to the person issued the ignition interlock license at the address of record at the registry.

SECTION 7. Said Section 24 of said Chapter 90, as so appearing, is hereby amended by inserting after the figure “(b)”, in line 382, the following words:- for being under the influence of a controlled substance or the vapors of glue.

SECTION 8. Subparagraph (3) of said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby amended by striking out the last sentence.

SECTION 9. Said subparagraph (3) of said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby further amended by adding the following paragraph:- Where the license or right to operate of a person has been revoked pursuant to paragraph (b) for operating a motor vehicle with a percentage, by weight, of alcohol in the operator’s blood of .08 or greater and that person has been previously convicted of a like offense or assigned to an alcohol or controlled substance education, treatment or rehabilitation program because of a like offense by a court of the commonwealth or any other jurisdiction 2 times preceding the date of the commission of the offense for which that person has been convicted or where the license or right to operate has been revoked due to a violation section 23 and such revocation was made pursuant to paragraph (b) or section 24D or 24E, the registrar shall not restore the license or reinstate the right to operate to that person, unless the prosecution of that person has terminated in favor of the defendant, until 8 years after the date of conviction; provided, however, that such person may, after completion of the incarcerated portion of the sentence, apply for an ignition interlock license for the balance of the 8 year revocation period. Such person shall provide proof in a format acceptable to the registrar that the person has enrolled in and is successfully completing the residential treatment program in subparagraph (4) of paragraph (a) of subdivision (1) or such treatment program mandated by section 24D.

Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. Failure of the operator to remain in compliance with court probation shall be cause for immediate revocation of the ignition interlock license. The registrar shall provide notice of a revocation to the person issued the ignition interlock license at the address of record at the registry.

SECTION 10. Said Section 24 of said Chapter 90, as so appearing, is hereby further amended by inserting after the figure "(b)", in line 417, the following words:- for being under the influence of a controlled substance or the vapors of glue.

SECTION 11. Subparagraph (3½) of said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby amended by striking out the last sentence.

SECTION 12. Said subparagraph (3½) of said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby further amended by adding the following paragraph:- Where the license or the right to operate of a person has been revoked pursuant to subsection (b) for operating a motor vehicle with a percentage, by weight, of alcohol in the operator's blood of .08 or greater and that person has been previously convicted of a like offense or assigned to an alcohol or controlled substance education, treatment or rehabilitation

program by a court of the commonwealth or any other jurisdiction because of a like offense 3 times preceding the date of the commission of the offense for which the person has been convicted, the registrar shall not restore the license or reinstate the right to operate of that person unless the prosecution of that person has been terminated in favor of the defendant, until 10 years after the date of the conviction; provided, however, that such person may, after the completion of the incarcerated portion of the sentence, apply for the issuance of an ignition interlock license. Such person shall provide proof in a format acceptable to the registrar that the person has enrolled in and is successfully completing the residential treatment program in subparagraph (4) of paragraph (a) of subdivision (1) or a treatment program mandated by section 24D. The ignition interlock license shall not be removed for the life of the person; provided, however, that the person may petition the registrar for removal not less than 10 years after the issuance of the ignition interlock license and not less than every 5 years thereafter. Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. Failure of the operator to remain in compliance with probation shall be cause for immediate revocation of the ignition interlock license. The registrar shall provide notice of a revocation to the person issued the ignition interlock license at the address of record at the registry. An aggrieved party may appeal, in accordance with chapter 30A, from an order of the registrar of motor vehicles pursuant to this subparagraph.

SECTION 13. Said paragraph (c) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby further amended by striking out subparagraph (3¾) and inserting in place thereof the following subparagraph:- (3¾) Where the license or the right to operate of a person has been revoked pursuant to paragraph (b) and that person was previously convicted of a like offense or assigned to an alcohol or controlled substance education, treatment or rehabilitation program by a court of the commonwealth or any other jurisdiction because of a like offense not less than 4 times preceding the date of the commission of the offense for which the person has been convicted, that person's license or right to operate a motor vehicle shall be revoked for the life of that person; provided, however, that such person may, after completion of the incarcerated portion of the sentence, apply for an ignition interlock license. Such person shall provide proof in a format acceptable to the registrar that the person has enrolled in and has successfully completed or is successfully completing the residential treatment program in subparagraph (4) of paragraph (a) of subdivision (1) or a treatment program mandated by section 24D and has completed the incarcerated portion of the sentence. The ignition interlock license shall not be removed for the life of the person; provided, however, that the person may petition the registrar for removal not less than 10 years after the issuance of the ignition interlock license and not less than every 5 years thereafter. Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the

license. Failure of the operator to remain in compliance with probation shall be cause for immediate revocation of the ignition interlock license. An aggrieved party may appeal, in accordance with chapter 30A, from an order of the registrar of motor vehicles pursuant to this subparagraph.

SECTION 14. Said Section 24 of said Chapter 90, as so appearing, is hereby amended by striking out, in line 575, the word “restistrar” and inserting in place thereof the following word:- registrar.

SECTION 15. The fifth paragraph of subparagraph (1) of paragraph (f) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby further amended by striking out the first sentence and inserting in place thereof the following 4 sentences:- A person who refuses to submit to a chemical test or analysis of breath or blood may apply for the issuance of an ignition interlock license, on or after the effective date of the suspension, for the balance of the suspension period imposed by this paragraph. A mandatory restriction on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. A person issued an ignition interlock license pursuant to this subparagraph shall not receive credit against an additional ignition interlock requirement arising from the same incident or from another incident. A defendant, during the suspension period imposed by this paragraph, may immediately, upon the entry of a not guilty finding or dismissal

of all charges under this section, section 24G, section 24L or section 13½ of chapter 265, and in the absence of any other alcohol related charges pending against the defendant, apply for and be immediately granted a hearing before the court which took final action on the charges for the purpose of requesting the restoration of the person's license.

SECTION 16. Subparagraph (2) of said paragraph (f) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby amended by inserting after the second paragraph the following paragraph:- A person may apply in advance of or after the effective date of a suspension under this subparagraph, for the issuance of an ignition interlock license for the balance of the suspension period listed in this paragraph. Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subparagraph shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. A suspension for failure of a chemical test or analysis of breath or blood shall run consecutively, both as to any additional suspension periods arising from the same incident, and as to each other. A person issued an ignition interlock license pursuant to this subparagraph shall receive day for day credit against an additional ignition interlock requirement arising from the same incident.

SECTION 17. Paragraph (g) of said subdivision (1) of said Section 24 of said Chapter 90, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:- The application for the issuance of an ignition interlock license for the period during

which a person's license, permit or right to operate is suspended pursuant to subparagraph (1) of paragraph (f) shall waive the person's right to a hearing pursuant to this subparagraph.

SECTION 18. Said Chapter 90 is hereby further amended by striking out Section 24½, as so appearing, and inserting in place thereof the following section:- Section 24½. (a) No person whose license has been suspended in the commonwealth or any other jurisdiction by reason of an assignment to an alcohol education, treatment or rehabilitation program or because of a conviction for a violation of subsection (a) of section 24G, or operating a motor vehicle with a percentage by weight of blood alcohol of .08 or greater or while under the influence of intoxicating liquor in violation of paragraph (a) of subdivision (1) of section 24, subsection (b) of said section 24G, section 24L, section 131/2 of chapter 265, subsection (a) of section 8 of chapter 90B, section 8A or 8B of said chapter 90B or, in the case of another jurisdiction, for any like offense, shall be issued a new license or right to operate or have such license or right to operate restored if that person has previously been so assigned or convicted unless such person provides proof in a format acceptable to the registrar that the person has a functioning certified ignition interlock device installed on all vehicles to be operated by that person as a precondition for the issuance, reissuance or restoration of a license or right to operate. A functioning certified ignition interlock device shall be installed and maintained on all vehicles operated by any such person for a period of 2 years. (b) Any person whose license or right to operate is restricted to operating vehicles equipped with a functioning certified ignition interlock device shall have such device inspected, maintained and monitored in accordance with regulations which shall be promulgated by the registrar. The ignition interlock device shall be calibrated to prevent the motor vehicle from being started with the breath sample provided has an alcohol concentration of 0.025 or more. The ignition interlock device shall remain in place until the registrar receives a

declaration from the person's ignition interlock device vendor, in a form provided or approved by the registry, certifying that there have been none of the following incidents in the six consecutive months prior to the date the person seeks removal of the device: (a) any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04; (b) failure to take any random test; (c) failure to pass any random retest with a breath alcohol concentration of 0.025 or lower; (d) any attempt to remove, tamper or circumvent the proper operation of the device; or (e) failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device.

SECTION 19. Section 24D of said Chapter 90, as so appearing, is hereby amended by inserting after the word “defendant”, in line 65, the following words:- whose disposition resulted from the use of a controlled substance or the vapors of glue.

SECTION 20. The fourth paragraph of said Section 24D of said Chapter 90, as so appearing, is hereby amended by inserting after the fifth sentence the following sentence:- Notwithstanding subparagraph (1) of paragraph (c) of subdivision (2) of section 24, subparagraph (1) of paragraph (f) of subdivision (1) of section 24 and section 24P, a defendant whose disposition resulted from a conviction or charge of alcohol in their blood of .08 or greater or while under the influence of intoxicating liquor may immediately upon entering a program pursuant to this section apply to the registrar for issuance of an ignition interlock license for the probation period. A mandatory restriction on an ignition interlock license granted by the registrar pursuant to this paragraph shall include, but not be limited to:(i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will

be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license.

SECTION 21. Said Section 24D of said Chapter 90, as so appearing, is hereby further amended by inserting after the word “hardship”, in lines 76 and 81, each time it appears, the following words:- or ignition interlock.

SECTION 22. Section 24E of said Chapter 90, as so appearing, is hereby amended by inserting after the word “program”, in line 38, the following words:- and may include a written statement by the supervisor of the ignition interlock provider used by such person detailing the person’s compliance with the ignition interlock requirement.

SECTION 23. Said Section 24E of said Chapter 90, as so appearing, is hereby further amended by inserting after the word “operate”, in lines 66 and 67, each time it appears, the following words:- or an ignition interlock license.

SECTION 24. Section 24G of said Chapter 90, as so appearing, is hereby amended adding the following subsection:- (d) Upon completion of the period of imprisonment prescribed in subsection (a) or (b) for an offense involving operating a motor vehicle with a percentage, by weight, of alcohol in the blood of .08 or greater or while under the influence of intoxicating liquor, the person may apply to the registrar for the issuance of an ignition interlock license for the remainder of the revocation period designated in subsection (c). The registrar may issue such license under such terms and conditions as appropriate and necessary for the balance of the revocation period listed in this subsection. Mandatory restrictions on an ignition interlock license

granted by the registrar pursuant to this subsection shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. Failure of the operator to remain in compliance with the sentence or court probation shall be cause for immediate revocation of the ignition interlock license. The registrar shall provide notice a revocation to the person issued the ignition interlock license at the address of record at the registry.

SECTION 25. Section 24L of said Chapter 90, as so appearing, is hereby amended by adding the following subdivision:- (5) Upon completion of the period of imprisonment prescribed in subdivision (1) or (2) for an offense involving operating a motor vehicle with a percentage, by weight, of alcohol in the blood of .08 or greater or while under the influence of intoxicating liquor, the person may apply to the registrar for the issuance of an ignition interlock license for the remainder of the revocation period designated in subdivision (4). The registrar may issue such license under such terms and conditions as appropriate and necessary for the balance of the revocation period listed in this subsection. Mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this subdivision shall include, but not be limited to: include: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock

license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. Failure of the operator to remain in compliance with the sentence or court probation shall be cause for immediate revocation of the ignition interlock license. The registrar shall provide notice of a revocation to the person issued the ignition interlock license at the address of record at the registry.

SECTION 26. Section 24N of said Chapter 90, as so appearing, is hereby amended by inserting after the word “days”, in line 38, the following words:- ; provided, however, that such person may apply, on or after the effective date of the suspension, for the issuance of an ignition interlock license for the balance of the suspension period listed in this subsection; provided further, that mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this section shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license. A suspension for failure of a chemical test or analysis of breath or blood shall run consecutively, both as to any additional suspension periods arising from the same incident and as to each other. A person issued an ignition interlock license pursuant to this section shall receive day-for-day credit against any additional ignition interlock requirement arising from the same incident.

SECTION 27. Said Section 24N of said Chapter 90, as so appearing, is hereby further amended by striking out, in lines 58 to 61, inclusive, the words “refusal. No license shall be restored under any circumstances and no restricted or hardship permits shall be issued during the

suspension period imposed by this paragraph; provided, however, that the" and inserting in place thereof the following words:- refusal; provided further, that a person who refused to submit to such test or analysis may apply, on or after the effective date of the suspension, for the issuance of an ignition interlock license for the balance of the suspension period listed in this section;provided further, that mandatory restrictions on an ignition interlock license granted by the registrar pursuant to this paragraph shall include, but not be limited to: (i) proof in a format determined by the registrar that a functioning certified ignition interlock device is installed on vehicles that will be operated by the person during the term of the ignition interlock license; and (ii) an attestation that ignition interlock devices will be maintained on all vehicles to be operated by the person. A person with an ignition interlock license shall be prohibited from operating vehicles without an ignition interlock device for the duration of the license; provided however, that a suspension for a refusal of either a chemical test or analysis of breath or blood shall run consecutively, both as to any additional suspension periods arising from the same incident and as to each other; provided further, that a person issued an ignition interlock license pursuant to this section shall not receive credit against any additional ignition interlock requirement arising from the same incident; and provided further, that a.

SECTION 28. Said Section 24N of said Chapter 90, as so appearing, is hereby further amended by adding the following paragraph:- The application for the issuance of an ignition interlock license for the period during which a person's license, permit or right to operate is suspended pursuant to this section shall waive the person's right to a hearing pursuant to this section.

SECTION 29. Section 19 of Chapter 122 of the Acts of 2005 is hereby amended by inserting after the word "registry", in line 7, the following words:- ; provided, however, that

approval procedures for ignition interlock device servicing and monitoring entities shall require any entity seeking certification to agree to provide all program costs, including installation, maintenance and removal, at fifty percent cost to a person who presents documentation issued by the registrar that such cost would cause a substantial financial hardship on the offender or the offender's family; provided further, that documentation of substantial financial hardship on the offender or the offender's family shall include, but not be limited to, evidence of a valid electronic benefit transfer card or evidence of a valid MassHealth benefits card; and provided further, that the registrar shall provide notice to a person seeking application for a certified ignition interlock device that the person may obtain a certified ignition interlock device, services and monitoring at fifty percent cost if such cost would cause a substantial financial hardship on the offender or the offender's family.

SECTION 30. Said Section 19 of said Chapter 122 of the Acts of 2005 is hereby further amended by inserting after the word "vehicles", in line 10, the following words:- ; provided, however, that reporting shall ensure compliance with an entity's responsibly pursuant to clause (2) including, but not limited to, standard charges for installation, service, maintenance and removal of a device and percentages of the entity's standard program costs waived pursuant to said clause (2).

SECTION 31. Clause (6) of said Section 19 of said Chapter 122 of the Acts of 2005 is hereby amended by striking out clauses (a) to (c), inclusive, and inserting in place thereof the following 3 clauses:- (i) of inspection of the certified ignition interlock device for accurate operation by an entity approved by the registrar not less than once every 30 days, as promulgated by the registrar, for the duration of any license ignition interlock device restriction; (ii) that the ignition interlock device shall be monitored, maintained and serviced not less than every 30 days,

as promulgated by the registrar, by an entity approved by the registrar; and (iii) that the costs to install and maintain the certified ignition interlock device shall be borne by the operator unless the operator presents valid evidence of a substantial financial hardship on the individual.

SECTION 32. Said Section 19 of said Chapter 122 of the Acts of 2005 is hereby further amended by striking out clause (8) and inserting in place thereof the following clause:- violation of the required inspection, monitoring or reporting requirements may result, after hearing, in up to a 2 year extension of the ignition interlock license or a permanent revocation of an ignition interlock license and up to an additional 10-year license suspension during which such person may not be eligible for an ignition interlock license.

SECTION 33. Said Section 19 of Chapter 122 of the Acts of 2005 is hereby further amended by striking out clause (9) and inserting in place thereof the following clause:- (9) a schedule for phasing in requirements that ignition interlock devices be equip with cameras or other means of positively identifying the person providing the ignition interlock breath alcohol concentration test.

SECTION 34. Said Section 19 of said Chapter 122 of the Acts of 2005 is hereby amended by adding the following clause at the end thereof:-

SECTION 35. This act shall take effect on August 1, 2019.