



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1334

DUI; license suspensions; restrictions

Purpose

Effective January 1, 2023, allows a person whose driving privileges have been suspended for a driving under the influence (DUI) violation to apply for a special ignition interlock restricted driver license (SIIRDL) before serving a minimum amount of the required suspension period. Includes any amount of time that a person who is issued a SIIRDL has a certified ignition interlock device (IID) installed on their vehicle as time-served toward the amount of time a person is required to have an IID installed.

Background

A person who commits a DUI violation is subject to a minimum 90-day driver license suspension. A person whose driving privilege is suspended may apply to the Arizona Department of Transportation (ADOT) for a SIIRDL if the person completes at least 90 consecutive days of the suspension period and any required alcohol or other drug screening ([A.R.S. § 28-1381](#)). ADOT must suspend a person's driving privileges for at least 30 consecutive days and then restrict the person's driving privileges for at least 60 consecutive days if a person: 1) did not cause death or serious physical injury to another person during the course of conduct out of which the action arose; 2) has not been convicted of a DUI violation within the past 84 months; 3) has not had the person's driving privileges suspended within the past 84 months; and 4) provides satisfactory evidence of the completion of alcohol or drug screening to ADOT ([A.R.S. § 28-1385](#)).

If a person's driving privilege has been restricted, the person may only drive to and from a specified list of locations, including: 1) the person's residence; 2) the person's employment; 3) the person's school; 4) health professionals; 5) for screening, education or treatment for scheduled appointments; 6) for scheduled appointments with probation officers; 7) a certified IID service facility; 8) a location designated for the purpose of parenting time; 9) a driver's or dependent person's residence and the dependent person's employment, school or medical appointment; or 10) transporting a dependent person who is living with the driver between the driver's residence and the dependent person's employment, school or medical appointment ([A.R.S. § 28-144](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a person who is subject to driving privilege suspension due to a DUI test refusal to apply for a SIIRDL after completing any ordered alcohol or drug screening, before serving 90 consecutive days of the suspension period.

2. Requires ADOT to issue a SIIRDL upon request to a person who would otherwise be eligible for a 30-day driving privilege suspension and subsequent 60-day driving privilege restriction if the person meets other requirements.
3. Removes the requirement that a person must not have had their driving privileges suspended for a DUI test refusal or an administrative license suspension within the last 84 months in order to qualify for a SIIRDL.
4. Includes the amount of time that a certified IID is installed on a person's vehicle for DUI violations, after the installation is authorized by ADOT and if the person is issued a SIIRDL, as time-served toward the required amount of time a person must have an IID installed in any motor vehicle the person operates.
5. Removes the prohibition against a SIIRDL reducing or eliminating the required use of an IID.
6. Removes locational restrictions between which a person issued a SIIRDL may operate a motor vehicle, except that a person who does not request a SIIRDL and whose driving privileges are restricted is still subject to locational restrictions.
7. Specifies that a person may apply for a SIIRDL if the person's driving privilege has been restricted, suspended or revoked if the DUI offense involved only alcohol or, if the person's alcohol concentration was more than 0.08, a combination of drugs and alcohol.
8. Effectuates an order for license suspension 30 days, rather than 15 days, after the date the order is served.
9. Increases, from 15 days to 30 days, the time a temporary driving permit is valid if a person surrenders a valid license or permit.
10. Increases, from 15 days to 30 days, the amount of time a person can request a hearing and summary review of an order of suspension.
11. Specifies that a person who applies for and is issued a SIIRDL pursuant to a DUI test refusal or an administrative license suspension agrees to the administrative action taken by ADOT against the person's license.
12. Specifies that, once ADOT issues a SIIRDL, the person waives any right to an administrative hearing contesting the administrative action against the person's license.
13. Requires an order of suspension to inform the person that the person's driving privilege may be issued or reinstated following the issuance of a SIIRDL, only if the person completes alcohol or drug screening.
14. Specifies that certain DUI violations consist of driving or being in actual physical control of a vehicle while under the influence of any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances if the person is impaired to the slightest degree.
15. Modifies requirements relating to the manner and format of information that must be reported to ADOT by an IID manufacturer.

16. Requires ADOT to reject any IID manufacturer information that does not meet prescribed reporting requirements.
17. Makes technical and conforming changes.
18. Becomes effective on January 1, 2023.

Amendment Adopted by Committee

- Removes conforming changes to aggravated DUI statute specifying that a DUI violation includes operating a vehicle under the influence of any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances if the person is impaired to the slightest degree.

Amendments Adopted by Committee of the Whole

1. Reinserts the ability for ADOT to suspend a person's driving privilege for at least 90 consecutive days upon receipt of the abstract of conviction for a simple or extreme DUI, if the person does not request a SIIRDL.
2. Reinserts the ability for ADOT to suspend a person's driving privilege for 30 days and subsequently restrict the person's driving privilege for 60 days for certain lesser DUI offenses if the person does not request a SIIRDL.
3. Reinserts locational restrictions on where a person whose license has been subsequently restricted for 60 days can drive to and from.
4. Removes language specifying that a person issued a SIIRDL maintain a functioning IID for the remaining period of suspension.
5. Specifies that the amount of time a person was issued a SIIRDL due to a DUI test refusal or an administrative license suspension, rather than just DUI violations, counts as time-served toward the required IID period.
6. Removes provisions relating to the ability to issue a SIIRDL to a person younger than 18, or between 18 years old and 21 years old, who commits a DUI violation or other specified violations.
7. Reinserts the requirement that a person under 18 years old who commits a simple or extreme DUI violation have their license suspended for two years, rather than one year.
8. Modifies language relating to the manner in which a person may seek judicial review of a suspension order and reinserts the requirement that a person must seek judicial review of the decision within 30 days of the suspension order being sustained.
9. Specifies that a person may apply for a SIIRDL if the person's driving privilege has been restricted, suspended or revoked if the DUI offense involved only alcohol or, if the person's alcohol concentration was more than 0.08, a combination of drugs and alcohol.
10. Makes technical and conforming changes.

Amendments Adopted by the House of Representatives

1. Reinserts existing statutory language that:
  - a) allows a person to file a petition in the superior court to review a final order of suspension or denial; and
  - b) requires ADOT to conduct the review on an expedited basis.
2. Specifies that a person who applies for and is issued a SIIRDL pursuant to a DUI test refusal or an administrative license suspension agrees to the administrative action taken by ADOT against the person's license.
3. Specifies that, once ADOT issues a SIIRDL, the person waives any right to an administrative hearing contesting the administrative action against the person's license.
4. Includes the amount of time that a certified IID is installed on a person's motor vehicle after ADOT authorization, rather than the amount of time a person was issued a SIIRDL, as time-served toward the required amount of time a person must have an IID installed in any motor vehicle the person operates.
5. Modifies requirements relating to the manner and format of information that must be reported to ADOT by an IID manufacturer.
6. Requires ADOT to reject any IID manufacturer information that does not meet prescribed reporting requirements.
7. Adds a delayed effective date of January 1, 2023.
8. Makes technical and conforming changes.

Senate Action

JUD            2/10/22    DPA    8-0-0  
3<sup>rd</sup> Read       3/2/22                    26-1-3

House Action

JUD            3/16/22    DPA    10-0-0-0  
3<sup>rd</sup> Read       5/2/22                    50-6-4

Prepared by Senate Research

May 2, 2022

ZD/sr