



SPONSOR: Rep. Spiegelman

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
HOUSE BILL NO. 152

1 AMEND House Bill No. 152 on line 9 by deleting “between” and inserting in lieu thereof "~~between~~".

2 FURTHER AMEND House Bill No. 152 on line 10 by deleting “.15 to .19” and inserting in lieu thereof “.15 or
3 greater, but less than .20.”.

4 FURTHER AMEND House Bill No. 152 on line 14 by deleting “between” and inserting in lieu thereof “~~between~~”.

5 FURTHER AMEND House Bill No. 152 on line 14 by deleting “.15 to .19” and inserting in lieu thereof “.15 or
6 greater, but less than .20.”.

7 FURTHER AMEND House Bill No. 152 on line 18 by deleting “between” and inserting in lieu thereof “~~between~~”.

8 FURTHER AMEND House Bill No. 152 on line 18 by deleting “.15 to .19” and inserting in lieu thereof “.15 or
9 greater, but less than .20.”.

10 FURTHER AMEND House Bill No. 152 on line 27 by deleting “Complies with” and inserting in lieu thereof
11 “Completes”.

12 FURTHER AMEND House Bill No. 152 on line 29 by deleting “Complies with” and inserting in lieu thereof
13 “Completes”.

14 FURTHER AMEND House Bill No. 152 on line 33 by deleting “program” and inserting in lieu thereof
15 “Program”.

16 FURTHER AMEND House Bill No. 152 on line 33 by deleting “title” after “this” and before “if” and inserting in
17 lieu thereof “title, or who did not apply to obtain an IID license or participate in the IID Program under §§ 4177C and
18 4177G of this title and whose license revocation period under this section has elapsed.”.

19 FURTHER AMEND House Bill No. 152 on line 79 by inserting “of the first offenders election” after
20 “acceptance” and before “constitutes”.

21 FURTHER AMEND House Bill No. 152 on line 113 by deleting “for” and inserting in lieu thereof “for, or is not
22 accepted into.”.

23 FURTHER AMEND House Bill No. 152 on line 163 by inserting “of” after “~~of.~~” and before “any”.

24 FURTHER AMEND House Bill No. 152 on line 175 by deleting “offense” and inserting in lieu thereof “offense
25 offender”.

26 FURTHER AMEND House Bill No. 152 on line 182 by deleting “will” and inserting in lieu thereof “will, or
27 does,”.

28 FURTHER AMEND House Bill No. 152 on line 183 by deleting “section.” and inserting in lieu thereof “section,
29 regardless of whether the vehicle is owned by the person.”.

30 FURTHER AMEND House Bill No. 152 on line 196 by deleting “will” and inserting in lieu thereof “will, or
31 does,”.

32 FURTHER AMEND House Bill No. 152 on line 197 by deleting “section.” and inserting in lieu thereof “section,
33 regardless of whether the vehicle is owned by the person.”.

34 FURTHER AMEND House Bill No. 152 on line 214 by deleting “will” and inserting in lieu thereof “will, or
35 does,”.

36 FURTHER AMEND House Bill No. 152 on line 214 by deleting “section.” and inserting in lieu thereof “section,
37 regardless of whether the vehicle is owned by the person.”.

38 FURTHER AMEND House Bill No. 152 on line 222 by deleting “for the” and inserting in lieu thereof “during the
39 entire”.

40 FURTHER AMEND House Bill No. 152 on line 229 by deleting “offense” and inserting in lieu thereof
41 “offenders”.

42 FURTHER AMEND House Bill No. 152 on line 236 by deleting “.15 to .19,” and inserting in lieu thereof “~~.15 to~~
43 ~~.19,~~ .15 or greater, but less than .20.”.

44 FURTHER AMEND House Bill No. 152 on line 248 by deleting “.15 to .19,” and inserting in lieu thereof “~~.15 to~~
45 ~~.19,~~ .15 or greater, but less than .20.”.

46 FURTHER AMEND House Bill No. 152 on line 260 by deleting “.15 to .19,” and inserting in lieu thereof “~~.15 to~~
47 ~~.19,~~ .15 or greater, but less than .20.”.

48 FURTHER AMEND House Bill No. 152 on line 270 by deleting “(1)”.

49 FURTHER AMEND House Bill No. 152 on line 271 by deleting “.08” and inserting in lieu thereof “~~.08~~ .08, and
50 does not otherwise have an illicit or recreational drug content in the person’s blood.”.

51 FURTHER AMEND House Bill No. 152 on line 272 by inserting “before the issuance of the conditional license”
52 after “title” and before “if”.

53 FURTHER AMEND House Bill No. 152 on line 274 by deleting “offense” and inserting in lieu thereof “offense
54 offenders”.

55 FURTHER AMEND House Bill No. 152 by deleting lines 276 through 278 in their entirety and inserting in lieu
56 thereof the following:

57 “where it is not established that the person was under the influence of any other ~~intoxicating substance, shall be~~
58 ~~granted a conditional license immediately upon application, and shall not be required to complete a course of instruction~~
59 ~~established under 4177D of this title.~~ intoxicating or impairing substance or with an illicit or recreational drug content in the
60 person’s blood.”.

61 FURTHER AMEND House Bill No. 152 by deleting lines 279 and 280 in their entirety and inserting in lieu
62 thereof the following:

63 “~~Nothing in this subsection shall be read to imply that an individual with a alcohol concentration of less than .08 is~~
64 ~~under the influence of alcohol.~~”.

65 FURTHER AMEND House Bill No. 152 on line 346 by deleting “will” and inserting in lieu thereof “will, or
66 does.”.

67 FURTHER AMEND House Bill No. 152 on line 347 by deleting “privileges” and inserting in lieu thereof
68 “privileges, regardless of whether the vehicle is owned by the person”.

69 FURTHER AMEND House Bill No. 152 on line 362 by deleting “eligible to” and inserting in lieu thereof
70 “eligible to, and does.”.

71 FURTHER AMEND House Bill No. 152 on line 369 by deleting “will” and inserting in lieu thereof “will, or
72 does.”.

73 FURTHER AMEND House Bill No. 152 on line 370 by deleting “title.” and inserting in lieu thereof “title,
74 regardless of whether the vehicle is owned by the person.”

75 FURTHER AMEND House Bill No. 152 on line 380 by deleting “the” after “Own” and before “vehicle” and
76 inserting in lieu thereof “a”.

77 FURTHER AMEND House Bill No. 152 on line 381 by deleting “the vehicle” after “owner of” and before “with”
78 and inserting in lieu thereof “a vehicle in which the IID is to be installed”.

79 FURTHER AMEND House Bill No. 152 on line 383 by deleting “the” after “insurance for” and before “vehicle”
80 inserting in lieu thereof “the a”.

81 FURTHER AMEND House Bill No. 152 on line 399 by deleting “alcohol or intoxicating” and inserting in lieu
82 thereof “~~alcohol or intoxicating~~ alcohol or intoxicating or impairing”.

83 FURTHER AMEND House Bill No. 153 on line 437 by deleting “vehicle” and inserting in lieu thereof “~~vehiele~~
84 vehicle, or a vehicle on which the IID was installed.”.

SYNOPSIS

This Amendment makes the following additional technical corrections to Delaware’s driving under the influence laws:

- (1) Corrects the range of blood alcohol concentration to account for fractional blood alcohol concentration results between .19 and . 20.
- (2) Requires completion of requirements under § 4177C rather than compliance with the requirements.
- (3) Clarifies that a person who did not apply for an ignition interlock device (“IID”) license or to participate in the IID program and whose license revocation period under § 4177A(a) of Title 21 has elapsed is to have the person’s license reinstated if the person pays all of the required fees, satisfactorily completes the required course, and does not operate a vehicle during the revocation period.
- (4) Makes language related to the first offenders election consistent.
- (5) Clarifies that a person who applies for an IID license is required to install the IID on each vehicle the person will, or does, operate during the revocation period whether or not the vehicle is owned by the person.
- (6) Includes references to illicit or recreational drug content, where appropriate.
- (7) Makes additional, minor technical corrections to the Act.