

Regular Session, 2005
HOUSE BILL NO. 692
BY REPRESENTATIVE WOOTON

ACT No. 381

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while
3 intoxicated; to require an ignition interlock device as a condition of release on bail
4 for certain persons arrested for certain alcohol-related driving offenses; to provide
5 for procedures; to provide for waiver of this requirement by courts in certain
6 circumstances; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 336.2 is hereby enacted to read as
9 follows:

10 Art. 336.2. Conditions of release on bail; operating a vehicle while intoxicated
11 The court shall require as a condition of release on bail that any person who
12 is charged with a second or subsequent violation of R.S. 14:32.1, 39.1, 39.2, 98, 98.1,
13 or a parish or municipal ordinance that prohibits the operation of a motor vehicle
14 while under the influence of alcohol or drugs to install an ignition interlock device
15 on any vehicle which he operates. The defendant shall have fifteen days from the
16 date that he is released on bail to comply with this requirement, and the ignition
17 interlock device shall remain on the vehicle or vehicles during the pendency of the
18 criminal proceedings. Failure to comply with this condition of release shall result
19 in the revocation of bail and reincarceration of the defendant. Under exceptional
20 circumstances, the court may waive the provisions of this Article but shall indicate

1 the reasons therefor to the law enforcement agency who has custody of the alleged
2 offender documentation.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____