

Amend CSHB 4061 (House committee printing) as follows:

(1) On page 1, between lines 4 and 5, add the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Article 17.441(c), Code of Criminal Procedure, is amended to read as follows:

(c) If the defendant is required to have the device installed, the magistrate shall require that the defendant have the device installed on the appropriate motor vehicle, at the defendant's expense, not later than the third business [~~before the 30th~~] day after the date the defendant is released on bond.

(2) On page 2, line 22, strike "before the 30th" and substitute "not later than the third business [~~before the 30th~~]".

(3) On page 2, lines 25-26, strike "provide evidence to the court within the 30-day period" and substitute "promptly provide evidence to the court [~~within the 30-day period~~]".

(4) On page 5, line 14, between "shall" and "order" insert "require the ignition interlock device to be installed not later than the third business day after the date the occupational license takes effect and shall".

(5) On page 6, between lines 11 and 12, add the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Section 521.2476(b), Transportation Code, is amended to read as follows:

(b) The minimum standards shall require each vendor to:

(1) be authorized by the department to do business in this state;

(2) install a device only if the device is approved under Section 521.247;

(3) obtain liability insurance providing coverage for damages arising out of the operation or use of devices in amounts and under the terms specified by the department;

(4) install the device and activate any anticircumvention feature of the device not later than the third business day [~~within a reasonable time~~] after the date the vendor receives notice that installation is ordered by a court;

(5) install and inspect the device in accordance with any applicable court order;

(6) repair or replace a device not later than 48 hours after receiving notice of a complaint regarding the operation of the device;

(7) remove a device not later than the third business day after the date the owner or operator of the vehicle requests removal and provides a copy of a court order to the vendor showing that the owner or operator is no longer restricted to the use of a motor vehicle equipped with an ignition interlock device;

(8) submit a written report of any violation of a court order to that court and to the person's supervising officer, if any, not later than 48 hours after the vendor discovers the violation;

(9) [~~(8)~~] maintain a record of each action taken by the vendor with respect to each device installed by the vendor, including each action taken as a result of an attempt to circumvent the device, until at least the fifth anniversary after the date of installation;

(10) [~~(9)~~] make a copy of the record available for inspection by or send a copy of the record to any court, supervising officer, or the department on request; and

(11) [~~(10)~~] annually provide to the department a written report of each service and ignition interlock device feature made available by the vendor.

(6) On page 7, line 22, strike "Except as provided by Section 5 of this Act" and substitute "(a) Except as provided by Subsections (b) and (c) of this section".

(7) On page 8, line 3, strike "SECTION 5" and substitute "(b)".

(8) On page 8, between lines 6 and 7, insert the following:

(c) The changes in law made by this Act in amending Articles 17.441 and 42.12, Code of Criminal Procedure, and Section 521.246, Transportation Code, relating to the time frame for installation and removal of an ignition interlock device, apply only to a court order entered on or after the effective date of this section. A court order entered before the effective date of this section is governed by the law in effect when the court order was entered, and the former law is continued in effect for that purpose.

(d) The Department of Public Safety by rule shall establish

the minimum standards required by Section 521.2476(b),  
Transportation Code, as amended by this Act, not later than  
December 1, 2009.

(9) Renumber SECTIONS of the bill accordingly.