

HB 1740 -- DRIVING WHILE INTOXICATED

SPONSOR: Griffith

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime and Public Safety by a vote of 16 to 0.

Currently, a person who has had his or her driver's license suspended or revoked because of an assessment of points for an intoxication-related traffic offense conviction and who has a prior alcohol-related enforcement contact must show proof to the Director of Revenue that any motor vehicle driven by the person has a certified ignition interlock device installed, and the ignition interlock device must be installed for at least six months. Under this bill, the requirement applies only to a person who has an intoxication-related traffic offense conviction in which the person's blood alcohol content (BAC) was at least .08 but less than .15 and who has a prior alcohol-related enforcement contact or to a person who has an assessment of points for an intoxication-related traffic offense conviction in which the person's BAC was found to be .15 or more.

The bill also prohibits restricted driving privileges to be issued to any person whose driving record shows an intoxication-related traffic offense in which the person's BAC was found to be .15 or more until the person files proof with the Department of Revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device.

The bill also modifies the offense of driving while intoxicated. Currently, the offense is a class E felony if the defendant, while driving intoxicated, acts with criminal negligence, causing physical injury to another person. The bill increases the penalty for this provision to a class D felony. It is currently a class D felony if the defendant, while driving intoxicated, acts with criminal negligence, causing serious physical injury to another person. The bill increases the penalty for this provision to a class C felony. Currently, if the defendant is driving while intoxicated and acts with criminal negligence to cause the death of another person, the defendant is guilty of a class C felony; this bill increases the penalty for that to a class B felony. If the defendant, while driving intoxicated, acts with criminal negligence to cause the death of two or more persons or to cause the death of any person while the defendant has a BAC of at least .15 by weight of alcohol, or the defendant has been previously been found guilty as a habitual offender or

of driving while intoxicated and causing the death of another person, the defendant will be guilty of a class A felony.

A person found guilty of driving while intoxicated and acting with criminal negligence to cause the death of another person will not be eligible for probation or parole until the person has served at least five years' imprisonment. If the person has been found guilty of acting with criminal negligence, while driving while intoxicated, to cause the death of two or more persons or to cause the death of any person while the defendant has a BAC of at least .15 by weight of alcohol, the person will not be eligible for probation or parole until the person has served at least 10 years' imprisonment.

This bill is similar to HCS HB 87 (2025) and HB 2768 (2024).

PROPOSERS: Supporters say that this bill sets and increases standards for penalties for those who drive while impaired. The hope is that this will deter future impaired drivers or that those who do drive impaired suffer the consequences for their choices. Missouri consistently ranks 9th in the nation for DWI offenses. Around 240-290 people die annually in Missouri from drunk driving accidents, accounting for about one-third of Missouri's traffic deaths. One witness described how blood alcohol content is measured and how alcohol is digested through the body. The bill goes in the right direction to help prevent road fatalities. Ignition interlock devices make the roads safer for everyone. They decrease DWI and DUI offenses by over 30%. They have saved over 77,000 DUI offenses from occurring in 2025. Missouri is one of only five states that require only repeat offenders to install these devices. Recidivism rates are reduced after completion of the ignition interlock device installation. The cost is on the offender 100%. The .15 BAC for ignition interlock device installation is a national standard. Installation of the devices is not meant to be a punishment; it is meant as prevention.

Testifying in person for the bill were Representative Griffith; Annette Wallace; Justine Woehr; Cody Umfress, Byrnes Mill Police Department; Jennifer Neldon; Arnie Dienoff; Kansas City Missouri Board of Police Commissioners; Patrick Flesch, MODOT; Missouri Association of Prosecuting Attorneys; Heather Elder, Mothers Against Drunk Driving (MADD); Scott Wilson, MODOT.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.