

# Ignition Interlocks – What You Need To Know

A Toolkit for Policymakers,  
Highway Safety Professionals,  
And Advocates

Second Edition

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16. Abstract This toolkit is designed to provide basic information regarding ignition interlocks and considerations for program administrators and policy makers in designing an efficient program.  The general topics in the toolkit include <ul style="list-style-type: none"> <li>• Description of an interlock device and how it works,</li> <li>• Brief summary of interlock technology development,</li> <li>• Ignition interlock research,</li> <li>• Program implementation,</li> <li>• Vendor selection and management, and</li> <li>• Program costs.</li> </ul> In addition, the status of each State's interlock program is provided, as are a series of frequently asked questions, sample talking points and administrative forms, and checklists to aid in program planning and implementation.			
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## Introduction

Significant strides have been made in reducing alcohol-impaired driving since the mid 1990s, yet this offense continues to kill more than 10,000 people in the United States each year.<sup>1</sup> Therefore, the prevention of impaired driving continues to be critical to reducing alcohol-impaired-driving deaths and injuries.

To combat this continuing traffic safety problem, all States have enacted legislation requiring or permitting the use of breath alcohol ignition interlock devices (hereinafter referred to as “ignition interlocks” or “interlocks”) to prevent alcohol-impaired driving.

An ignition interlock is an after-market device installed in a motor vehicle to prevent a driver from operating the vehicle if the driver has been drinking. Before starting the vehicle, a driver must breathe into the device and if the driver’s blood alcohol concentration (BAC) is above a pre-set limit or set point,<sup>2</sup> the ignition interlock will not allow the vehicle to start.

Ignition interlocks have been used to prevent impaired driving in the United States for more than 20 years. Over the years they have become more accurate, reliable, available, and less costly to install and maintain, making them a valuable tool to separate a driver who has been drinking from operating his/her motor vehicle, thereby decreasing the incidences of driving while impaired and increasing public safety.

A number of research studies have been conducted examining the effectiveness of interlocks and case studies have been published highlighting the operation of State ignition interlock programs. In addition, a variety of reports have been published providing guidance to establish, expand, and strengthen State programs.

This toolkit brings together resources that explain and support the use of alcohol ignition interlocks, identifies issues faced by ignition interlock programs and includes information on the current use of interlocks in each State and the District of Columbia. It is designed to advance the understanding of ignition interlock technology, improving its application as an effective strategy to save lives and prevent impaired driving injuries.

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<sup>1</sup> NHTSA, 2012.

<sup>2</sup> State law establishes the set point, which, in most States, is .02 grams per deciliter.



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## How to Use the Toolkit

This toolkit is designed as a quick resource, identifying and describing elements that should be considered when establishing or strengthening a State ignition interlock program. As such, it is not designed to necessarily be read from start to finish. Rather, the reader is encouraged to select sections of immediate interest or need. Because of this, however, the reader will find some redundancy between sections.

Examples and checklists to aid in the understanding and usefulness of the information are included where appropriate. In some instances, specific States are identified as examples. In the section on program costs, for example, potential funding sources are identified, followed by the State that uses that source (“Fees imposed on all DWI offenders [NM]”). All States identified in examples are used solely to provide the reader with a reference for further research on the particular topic under discussion.

Appendices provide the reader with a variety of ready-made resources, from the status of State programs to frequently asked questions, talking points, detailed checklists, and sample forms.

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## What Is an Ignition Interlock?

Simply stated, an ignition interlock is a device installed on a motor vehicle that requires a breath sample to determine the driver's breath alcohol concentration (BrAC) before the vehicle can start. It does so by requiring the prospective driver to blow into a breath alcohol sensor connected to the vehicle's ignition system before the vehicle's engine will start.

An on-board computer analyzes the alcohol concentration of the driver's breath to determine if it is below the set point, usually .02 grams per deciliter, before the vehicle will start. If the test registers above the set point or the person does not provide a breath sample, the interlock will prevent the vehicle's engine from starting.

Ignition interlocks are comprised of four basic elements:

1. A breath alcohol sensor installed in the passenger compartment of a vehicle connected to a control unit in the engine compartment that allows the engine to start only upon an acceptable breath test;
2. A tamper-proof system for mounting the control unit in the engine compartment;
3. A data-recording system that logs breath test results, tests compliance, and other data required by a State; and
4. A retest system which, after the engine has started, requires the driver to provide another breath sample to ensure that the driver remains alcohol-free at varying intervals (such as every 10 to 15 minutes). Manufacturers strongly recommend a drivers not perform the re-test while the vehicle is in motion, but rather exit traffic and comply with the test.<sup>3</sup>

The installation of an ignition interlock is relatively simple on most vehicles, generally taking no more than 45 minutes, though it can require up to 2 hours, depending on the individual vehicle and the experience of the installer.

With all systems in place and operating as intended, the interlock system ensures that the vehicle cannot be started or driven by a person who has been drinking. Test results and other collected data provide program administrators with a range of information to monitor offender behavior during the period that the device is installed.

It is important to note that an interlock device will not interfere with an operating engine. In the retest, for example, the driver will be required to provide a breath sample while the vehicle is being operated. In these tests, to ensure safety, several minutes are provided for the driver to move to a safe location in order to take the test. If a breath sample isn't provided or the sample exceeds the set point, the device will warn the driver and activate an alarm (e.g., horn blowing, lights flashing) that will continue until the ignition is turned off or an acceptable breath sample is provided.

### Summary of Interlock Development

Ignition interlocks have been employed in the United States for more than two decades, with their use currently proscribed by each State's laws and regulations.

The first interlock devices used semiconductor alcohol sensors. This technology was not alcohol-specific, resulting in frequent false positives and requiring frequent maintenance. Technology development shifted in the early 1990s from semiconductor sensors to fuel cell technology, the

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<sup>3</sup> Robertson, 2006

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same as employed in many evidential breath test instruments used today. Fuel cell ignition interlocks are specific to alcohol, retain their calibration longer under normal operating conditions, and require less maintenance than do their predecessors.

In the early stages of ignition interlock technology development, the National Highway Traffic Safety Administration issued “Model Specifications for Breath Alcohol Ignition Interlock Devices” (hereinafter referred to as Model Specifications), containing recommended performance standards and data-recording systems to render tampering or circumvention efforts both more difficult to undertake and easier to identify.<sup>4</sup> NHTSA has not developed a conforming products list of devices that meet the specifications. Building on NHTSA’s Model Specifications, States have developed their own performance standards and specifications. On May 8, 2013, NHTSA published revised Model Specifications for BAIIDs in the Federal Register, revising the 1992 Model Specifications.<sup>5</sup>

Current technology development seeks to reduce an operator’s ability to circumvent the system; increase system tamper resistance; and document each breath test via in-vehicle cameras to ensure that the offender is the individual providing the breath sample. Other recent developments include software enhancements and expansion of the types of data that can be collected.

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<sup>4</sup> Model Specifications for Breath Alcohol Ignition Interlock Devices, 1992.

<sup>5</sup> National Highway Traffic Safety Administration, 2013.

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## Ignition Interlock Research

Numerous research efforts have been conducted over the past 20 years concerning various aspects of ignition interlocks, from their value in reducing recidivism to offender compliance and long-term effects after interlocks have been removed. Highlights of the research are presented below.

### Effects on DWI Recidivism

Research provides strong evidence that, while installed on an offender's vehicle, interlocks reduce recidivism among both first-time and repeat offenders. This includes high-risk offenders, i.e., those who repeatedly drive after drinking with high BACs, and are resistant to changing behavior.<sup>6</sup>

Once ignition interlocks are removed from a vehicle, however, recidivism rates of ignition interlock users increase and resemble the rates for offenders for whom interlocks were not required.<sup>7</sup>

**Interlocks and First Offenders.** Research projects studying unique offender populations, different measures of recidivism, and varying evaluation periods concluded that ignition interlock devices are effective in reducing recidivism of first-time DWI offenders.<sup>8</sup>

**Interlocks and Repeat Offenders.** A number of studies have examined repeat DWI offenders and ignition interlocks, concluding that interlocks reduced subsequent DWI behavior by those offenders while the interlock was installed on the vehicle.<sup>9</sup>

The record of breath tests logged into an ignition interlock has been effective in predicting the future DWI recidivism risk. Offenders with higher rates of failed BAC tests have higher rates of post-ignition interlock recidivism.<sup>10</sup>

### Compliance Rates and Circumvention

When ignition interlock programs were in the early stages of implementation, many drivers ordered to install an ignition interlock continued to drive without installing the device for a variety of reasons, ranging from the cost of installation and monthly fees to a lack of vendors/service providers<sup>11</sup> or monitoring and offender claims of lack of vehicle ownership.<sup>12</sup> Over time, this has been remedied to some extent through increases in vendors and facilities, and better offender monitoring (e.g., online data reporting) and the imposition of additional sanctions for non-compliance.

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<sup>6</sup> EMT Group 1990; Popkin et al., 1992; Morse & Elliot, 1992; Jones, 1993; Tippetts & Voas, 1997; Weinrath, 1997; Beirness et al., 1998; Coben & Larkin, 1999; Vezina, 2002; Voas & Marques, 2003; Tashima & Masten, 2004; Willis et al., 2005.

<sup>7</sup> Jones, 1993; Popkin et al., 1993; Coben & Larkin, 1999; Beirness, 2001; Marques et al., 2001; DeYoung, 2002; Raub et al., 2003.

<sup>8</sup> EMT Group, 1990; Morse & Elliot, 1992; Tippetts & Voas, 1998; Voas et al., 1999; Voas et al., 2005; Marques et al., 2010; McCartt et al., 2012.

<sup>9</sup> Jones, 1993; Popkin et al., 1993; Beirness et al., 1998; Beck et al., 1999; Coben & Larkin, 1999; Beirness, 2001; Marques et al., 2001; DeYoung, 2002; Raub et al., 2003.

<sup>10</sup> Marques & Voas, 2008.

<sup>11</sup> The terms "interlock installers," "service providers," and "vendors" all refer to those companies operating in a State to carry out aspects of the ignition interlock program devices themselves, including calibration and certification, installation, maintenance and removal, data recording, etc. For ease of reference, this document will use the term "vendor" when referring to such companies.

<sup>12</sup> DeYoung, 2002; Marques et al., 2010.

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Offenders who do install interlocks often attempt to circumvent the device during the first few weeks after installation by tampering with the breath sample or attempting to disconnect the device itself from the vehicle's starter. Research indicates that over time, tampering with the device decreases.<sup>13</sup> This occurs because offenders learn about the system and recognize their inability to successfully circumvent it. They also come to understand that tampering attempts are recorded, resulting in the receipt of additional sanctions for the tampering violation.

Offenders can circumvent an interlock sanction simply by driving another vehicle not equipped with an interlock device. To remedy this problem, some States have established vehicle usage criteria when offenders are ordered to install an interlock (e.g., the average number of miles an offender would be expected to drive to and from work on a weekly basis). If it is subsequently determined that the vehicle with the ignition interlock has not been driven the expected number of miles, the State can further sanction the offender if there is no justification for the low mileage.

### **Removal of an Interlock at Completion of the Sanction**

While studies consistently demonstrate that interlocks reduce recidivism while the device is installed in an offender's vehicle, the research also indicates that once the device is removed, recidivism rates increase to levels comparable to those offenders who were not required to have an interlock installed as part of their sanction.<sup>14</sup> As a consequence, several studies suggest that interlocks may be necessary as a long-term or permanent prerequisite for driving for repeat offenders.<sup>15</sup>

### **Support for Interlocks**

Surveys of DWI offenders have found that the majority believed that, even though they may have disliked having an interlock installed, the sanction was fair and that the interlock reduced driving after drinking.<sup>16</sup> Families of offenders with ignition interlocks were in favor of the technology indicating that, while the devices were an inconvenience, they provided a level of reassurance that the offender was not driving while impaired.<sup>17</sup> Other benefits to the interlock sanction include the ability for offenders to continue to drive to work, appointments, family activities, etc., without disruptions or incurring the added cost and time of alternate transportation.

### **Interlocks and Substance Abuse Treatment**

Research has suggested that the effectiveness of an interlock can be increased when combined with substance abuse treatment.<sup>18</sup> States that include substance abuse counseling in the sanctioning of DWI offenders could make use of interlock data to facilitate that treatment. For example, offenders who have a high number of early morning lockouts (i.e., vehicle will not start because the BAC reading is above the set point) are frequently still intoxicated from the prior evening's drinking, information that could be used by a counselor to demonstrate consequences of heavy drinking. Further, objective data regarding an offender's alcohol use through monitoring reports can counter an offender's denial of drinking during the treatment process.

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<sup>13</sup> Marques et al., 2010.

<sup>14</sup> Jones, 1993; Popkin et al., 1993; Beirness et al., 1998; Coben & Larkin, 1999; Marques et al., 1999; Marques et al., 2001; Beirness, 2001; DeYoung, 2002; Raub et al., 2003; Marques et al., 2010.

<sup>15</sup> DeYoung 2002; Rauch & Ahlin 2003; Raub et al., 2003; Beirness et al., 2003.

<sup>16</sup> Roth, 2005; Marques et al., 2010.

<sup>17</sup> Beirness et al., 2007; Marques et al., 2010.

<sup>18</sup> Baker et al. 2002; Marques et al. 2003a, 2003b

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## Interlock Program Implementation

All States have passed legislation requiring or permitting the use of ignition interlocks, and programs have been implemented to varying degrees across the Nation based on State legislation and administrative regulation.

Today's programs vary in many respects—from how the program is mandated to vendors who install and service the devices, offender eligibility, and type and frequency of data collected. The considerations described in this section identify key elements in designing or enhancing an interlock program within parameters established by State law and regulation.

### Benefits of an Ignition Interlock Program

Ignition interlocks, when appropriately used, prevent alcohol-impaired driving by DWI offenders, resulting in increased safety for all roadway users. There are other benefits to ignition interlocks, however, that enhance their value.

- ⑥ **Reduction in Recidivism.** Research has shown that, while installed on an offender's vehicle, ignition interlocks reduce recidivism among both first-time and repeat DWI offenders.<sup>19</sup>
- ⑥ **Legal Driving Status.** Ignition interlocks permit offenders to retain or regain legal driving status, thus enabling them to maintain employment and manage familial and court-ordered responsibilities that require driving. This is a particularly relevant benefit, as many offenders without interlocks drive illegally on a suspended/revoked license, often after drinking.<sup>20</sup> The installation of an interlock on the offender's vehicle reduces the probability of this occurring, thereby improving public safety.
- ⑥ **Offenders and Families Approve.** A majority of offenders surveyed believe ignition interlock sanctions to be fair and reduce driving after drinking.<sup>21</sup> Family members believed that ignition interlocks provided a level of reassurance that an offender was not driving while impaired and reported a generally positive experience and impact on the offender's drinking habits.
- ⑥ **Predictor of Future DWI Behavior.** The record of breath tests logged into an ignition interlock has been found to be an excellent predictor of future DWI recidivism risk.<sup>22</sup> Offenders with higher rates of failed BAC tests have higher rates of post-ignition interlock recidivism, information that could be critical regarding whether to restore an offender's license, and any conditions under which such action may occur.
- ⑥ **Cost Effectiveness.** As with any sanction, there are costs. Most administrative costs (i.e., those costs associated with managing the interlock program) are absorbed by the State. Costs associated with the devices themselves, including installation, maintenance, monitoring, estimated at approximately \$3 to \$4 per day, are borne by the offender. Research has estimated a cost/benefit of an ignition interlock sanction at \$3 for a first time offender, and \$4 to \$7 for other offenders accruing for each dollar spent on an interlock program.<sup>23</sup> The cost of an interlock sanction is less than incarceration, vehicle impoundment, or other monitoring devices such as alcohol monitoring bracelets, with the costs accruing to the offender through a series of fees rather

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<sup>19</sup> Marques & Voas, 2010.

<sup>20</sup> Roth Voas, & Marques, , 2007.

<sup>21</sup> Roth, 2005; Marques et al., 2010.

<sup>22</sup> Marques et al., 2010.

<sup>23</sup> Miller, 2005; Roth et al., 2007.

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than the State. As interlock programs mature and more offenders are added into the program, the cost/benefit ratio should improve.

- ⑥ **Substance Abuse Treatment.** A number of States require the installation of an ignition interlock as a final step toward an unrestricted driving privilege after DWI conviction, sometimes combined with substance abuse treatment. In these instances, the data collected by the interlock can provide treatment providers with current, objective information regarding the offender's behavior, which should result in a better treatment outcome. The combination of an interlock and treatment provides a benefit for the public, in that counseling based on objective data from the interlock's records rather than subjective information provided by the offender should have a more positive effect on the offender, resulting in an increased probability of a reduction in recidivism.

### Types of Interlock Programs<sup>24</sup>

Interlock programs in the U.S. have evolved on a State-by-State basis, consistent with each State's impaired driving laws and regulations. In spite of the variety of means by which they have developed, interlock programs can be grouped into three categories:

- ⑥ **Administrative.** A department of motor vehicles or similar agency requires the installation of an interlock device as a condition of licensing for a suspended driver, for license reinstatement. ( CO, IL, MN)
- ⑥ **Judicial.** The courts mandate an interlock device for offenders, either pre-trial or post-conviction ( IN, NY, TX)
- ⑥ **Hybrid.** These programs include features of both the administrative and judicial approaches (FL, MD, OK)

The advantage of *administrative* or license-based programs is that they are more uniformly applied to offenders throughout a jurisdiction, resulting in the likelihood of higher installation rates. There are a potentially smaller number of agencies and departments involved in an administrative program, streamlining the processes and making it more cost effective.

The advantage of the *judicially* administered program is that the courts have the legal authority to ensure compliance and may better monitor offenders utilizing an established system to track offenders. Court-administered programs are also able to require pre-trial interlock use, impose additional sanctions for noncompliance or tampering with the interlocks, and mandate offender participation in substance abuse treatment programs.

The *hybrid* approach can incorporate the strengths of both the administrative and judicial systems within the State's legal framework, thereby developing a more efficient and effective program. However, hybrid programs face the challenge of coordination between the administrative and judicial systems, as well as a potential for increased costs associated with the involvement of a larger number of governmental entities.

### Interlock Programs: Getting Started

All States currently have ignition interlock laws, and nearly all have ignition interlock programs. These programs are in various stages of implementation and have met with varying levels of success. Proper planning is essential in developing and refining these programs. The following should be included in planning ignition interlock programs.

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<sup>24</sup> Traffic Injury Research Foundation, 2009.

## Program Goals<sup>25</sup>

The first step in designing a successful program is to identify the primary purpose for the ignition interlock component of the State’s overall impaired driving program. This is essential in establishing the goals and objectives of the interlock program in support of the larger effort.

*Conceivably, the best way to structure interlock programs is to impose on offenders a level of monitoring restriction that matches the level of public risk they represent.*

**Marques et al., 2010.**

The primary methodology used in an interlock program is incapacitation, that is, separating the impaired driver from the vehicle. Drivers sanctioned to an ignition interlock is only able to start and drive a vehicle when their BAC is below the set point. The ignition interlock, by preventing the offender from driving the vehicle after drinking, will reduce the likelihood of the offender from becoming a danger to himself, passengers, and other roadway users—a key program goal.

There are, however, several overarching goals a successful program should consider:

- ⑥ **Punishment.** The offender suffers the punishment of having an interlock installed. While it is a less onerous punishment than jail or home confinement, it serves as a continual reminder to the offender of the crime committed since the offender is, in a sense, incapacitated (e.g., cannot drink and drive), and reinforces the fact that there are serious consequences for violating the law. The stigma of having the device on the motor vehicle, providing a breath sample to start the vehicle (often in front of family and friends), having to take time off work for routine servicing, having data collected on many aspects of an offender’s activities, all contribute to the punishment of each offender with an interlock sanction.
- ⑥ **Deterrence.** The thrust of deterrence in impaired driving programs is to discourage people from drinking and driving by imposing a series of specific consequences—including, in this case, an interlock—on those convicted of DWI. Informing and educating the community that interlocks are part of the sanctioning process may also prove an effective general deterrent, as some potential offenders may change their behavior to avoid arrest and an interlock sanction.
- ⑥ **Rehabilitation.** An interlock can provide a “teachable moment” for offenders, motivating them to examine their behavior and providing an opportunity to change. Depending on specific program goals, this can be accomplished through the simple act of using the interlock over an extended period of time, or a formalized program of substance abuse treatment, where offenders are required to combine treatment with the interlock sanction. In instances of combined substance abuse treatment and interlock use, the data collected by the device provides valuable objective data to aid counseling.

### **A successful interlock program should consider the following goals:**

Incapacitation	Punishment
Deterrence	Rehabilitation

Specific goals identified for the program should be used to define supporting objectives and processes involved in the program, including the identification of participating agencies, workflow,

<sup>25</sup> TIRF, 2009.



resources. The goals will also serve as the basis for the policies that define program participation, non-compliance, and more.

### **Stakeholder Involvement**

State experience has demonstrated the value of identifying and engaging key stakeholders early in the ignition interlock program development process. At a minimum, each of the agencies responsible for implementing any of the tasks associated with the interlock program should participate in planning, since their capabilities, cost implications and needs must be taken into account in developing operational plans that will meet program goals, while identifying potential problems that will need to be addressed.

*Form an inclusive committee of stakeholders to plot the course of a State's interlock program, including the State highway safety office, the DMV, interlock vendors and even other representatives from States with interlock experience.*

**Mimi Kahn**  
**Deputy Director, CA DMV**  
**National Ignition Interlock Summit**  
**November 2010**

Additionally, it is advisable to establish a subset of the stakeholder work group to assist with educational and outreach opportunities, and to engage professional associations and community groups in understanding and supporting the interlock program's goals and the importance of reducing impaired driving.

### **Potential Stakeholders**

Legislators and policy makers • State highway safety offices • Law enforcement officials, Law enforcement liaisons • Judges • State licensing agencies • Prosecutors • Defense attorneys • Probation personnel • Traffic safety resource prosecutors • Judicial outreach liaisons • Toxicology laboratory authorities • Alcohol and drug treatment personnel • Ignition interlock vendors

### **Program Planning**

The steps involved in designing an ignition interlock program are no different than the planning required for any major initiative. Once stakeholders have been identified and invited to participate, the process is relatively straightforward.

Depending on the number of participants on the planning group, it is advisable to create a steering committee and work groups to deal with specific aspects of the program (e.g., legislative review, vendor/device certification, data collection, monitoring, evaluation, communications/publicity).<sup>26</sup>

- ⑥ **Establish program goals and objectives.** These goals and objectives will define the ultimate outcomes of the interlock program. Having the goals in mind will ensure that the appropriate chain of authority and communications channels are established during the planning process.
- ⑥ **Include provisions for evaluation and communication in early planning.** Evaluation, and communications and public information/education components of a program should relate directly to the established goals. In some instances baseline data will need to be collected to allow for the program to be evaluated once established. The program goals will need to be communicated to participants, stakeholders, and the public early in the process. A well-planned communications strategy will

<sup>26</sup> Spratler, 2009; GHSA, 2010.

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ensure that all are aware of the purpose and value of the program, and questions can be asked and concerns addressed early in the implementation process. Public awareness and education of the program's goals and objectives will help ensure its acceptance. If these components are not included, a valuable opportunity will be lost.

- ⑥ **Develop clear and concise administrative rules.** These rules should detail the following.
  - ❑ The specific agency that will have overall responsibility for the ignition interlock program
  - ❑ Chain of authority
  - ❑ Functions to be performed and by whom
  - ❑ Vendor oversight
    - Licensing and certification
    - Monitoring and reporting
  - ❑ Offender participation
    - First, high-BAC or multiple offenders
    - When the sanction will take effect (immediately upon conviction, in lieu of or after license suspension)
    - Requiring interlocks for offenders having a hardship license
    - Mandatory installation for re-licensing
    - Length of interlock sanction
    - Minimum vehicle use requirements
    - Relation to substance abuse treatment
    - Restriction added to the driver's license
  - ❑ Handling non-compliance
    - Repeated BAC lockouts
    - Procedural failures (e.g., not taking retests)
    - Circumventing/tampering with the device
  - ❑ Linkage to substance abuse treatment
    - Eligible offenders
    - Use of data to assess offender progress
- ⑥ **Develop process flow charts.** Charting all agencies and offices involved in the program will assist in eliminating overlap or redundancy while ensuring that part of the process is not overlooked. The flow chart will help establish chains of authority and accountability, and will begin to shed light on resources (staff, equipment, funding) and training that may be required among the various agencies and offices involved in program implementation.
- ⑥ **Plan for interstate coordination and collaboration.** Today's society is extremely mobile, leading to the strong possibility that potential offenders could regularly cross State lines, traveling to work, vacations, and other destinations. It is also possible an offender convicted of DWI in one State is a resident of another. This could

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lead to a variety of challenges regarding the installation, servicing and monitoring of use of an interlock. It is also possible that, to provide increased access to vendors in rural areas, one State's vendor might be located in a neighboring State. To ensure appropriate program oversight and reduce the potential for problems, it is important to develop plans to establish reciprocity and address coordination with neighboring States early in the process. Include the plans as part of vendor selection and oversight.

- ⑥ **Review current legislation/regulations.** Eliminate redundancy, overlap or conflicts, and loopholes.

Because of the complexities of even the most simple and straightforward ignition interlock program, it is important that sufficient time be allocated to the planning stage.

### Vendor Selection and Oversight<sup>27</sup>

There are a number of interlock manufacturers and vendors currently doing business in the United States, providing a variety of management models and technology options for the States.

When deciding on vendors that will be approved for a State's program, policy makers must thoroughly review and prioritize a range of issues, from their facilities and operations to technology options, in relation to the program's requirements.

NHTSA's Model Specifications for breath alcohol ignition interlock devices provide recommended performance standards and data-recording systems for the devices themselves. Individual States, however, have refined operational and data requirements for interlock devices certified for use to meet State-specific program goals and objectives.

In developing requirements, it is imperative that a State's requirements and expectations are specific and clearly spelled out for the vendors.

The States currently employ a variety of vendor oversight models. The following should be considered when planning vendor management.<sup>28</sup>

- ⑥ Free-market contracting and multiple providers (MD) versus limited (FL) or even a sole provider (HI).
- ⑥ The geographic distribution of vendors, particularly in rural areas, so all offenders can be easily served.
- ⑥ Reciprocity, coordination, and collaboration with adjoining States for the installation and monitoring of offenders or transient violators. (OK, NY)
- ⑥ Certification of vendors and devices as well as vendor inspection and monitoring.
- ⑥ De-licensing or de-certification procedures for vendors that fail to comply with State requirements and regulations.
- ⑥ Provisions for interlock override capability for routine maintenance of the interlocked vehicle (i.e., when the vehicle is taken to a dealer for servicing).

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<sup>27</sup> Robertson, Holmes, & Vanlaar, 2011.

<sup>28</sup> *Appendix E: External Relationships with Vendors/Service Providers*, contains a detailed checklist to assist in developing effective vendor management and oversight programs.

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- ⑥ The type of data collected, format in which it is reported, and frequency with which it is reported.

It is important that vendor oversight be manageable and achievable. When vendors are involved in the planning process, the oversight plan has a better likelihood of success. After the plan has been finalized and vendors selected, meetings between program staff and vendors should routinely take place to ensure the plan is working, and to address problems as they arise.

When licensing and certifying multiple vendors, a common set of attainable reporting requirements should be developed so program administrators can track the number of interlocks installed in offenders' vehicles, monitor the provision of interlock services, and easily compare data provided by all vendors.

### **Offender Monitoring and Reporting**

Most ignition interlocks collect and record a significant amount of information each time the interlock is accessed. Data related to vehicle use, driver alcohol use, and attempts to circumvent the technology provide important information for driver control and sanctioning authorities, ensuring offenders comply with the program and identifying noncompliant offenders who will require more intensive supervision and, perhaps, the imposition of additional fines/sanctions. Using the data to monitor offender behavior is critical to the effectiveness of the program and, ultimately, roadway safety.

Reporting standards and a system for the transfer of data from vendors to program administrators must be developed during initial planning. What is required, why it is required, and how it will be used are all important considerations in developing reporting standards.

Data elements require clear, consistent definitions. Different vendors may have differing definitions for “circumvention” of a device, for example, or activity that results in a “violation.” To ensure consistency in the data that is compiled and delivered by the range of vendors and devices that may be in use in a State, it is imperative that all vendors are absolutely clear on the definition of the data they are to collect, and all those who will be using the data understand the definition

State standards should include a set of clear definitions with respect to all data collection and reporting terms.

All interlock devices are designed to capture the following date/time-stamped data, in addition to offender and vehicle information, mileage, and date of servicing.

- ⑥ All breath tests (initial and retests)
- ⑥ Failures to submit to a breath test
- ⑥ Each time the vehicle is turned on/off
- ⑥ Tampering and circumvention attempts
- ⑥ Failure to turn the vehicle off following a failed test

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- ⑥ The time period the vehicle was driven
  - ⑥ Mileage driven
  - ⑥ Vehicle lockouts and/or early recalls<sup>29</sup>
  - ⑥ Use of the emergency override feature (when activated)

If a State does not capture all available data, the most important data to collect, in addition to the offender and vehicle information, mileage, and date of servicing, includes:

- ⑥ Alcohol positive breath tests (e.g., those above the set point),
- ⑥ Failure to submit to a breath test,
- ⑥ Tampering and circumvention attempts,
- ⑥ Vehicle lockouts and/or early recalls, and
- ⑥ Use of the emergency override feature (when available and activated).

Offenders must be made aware that they will be monitored (the data collected and frequency of reporting) and the consequences for violating the established protocol. Monitoring provides the impetus to “reward” an offender for continued good behavior or adds sanctions to those who continue to attempt to drink and drive or circumvent the system.

As essential as monitoring/reporting is, it is also one of the more difficult aspects of an ignition interlock program. Lack of clear definition of terms; no clear chain of authority and responsibility between vendors and program staff; poor communications; lack of training among practitioners; all contribute to the possibility of inconsistent monitoring and reporting, resulting in the possibility of violations not being identified and violators not receiving the appropriate sanction for the violation.

Because of this, it is imperative that policies and procedures are put into place during planning detailing chain of reporting, identifying the agency with the authority to take action against noncompliant offenders, and the graduated sanctioning that may be taken in response to specific violations. It is also important that compliant behavior be recognized during monitoring as a method to encourage positive behavior change.

Accurate and timely data will provide program administrators with information needed to assess the offender's compliance with the sanction and justification for more intense supervision or imposition of additional fines/sanctions for noncompliant offenders.

In addition to policies and procedures, everyone who will be involved in monitoring must be sufficiently trained to accomplish all tasks for which they will be responsible. Further, processes for routine collaboration and coordination between all entities involved with monitoring/reporting should be established to ensure all violations are quickly identified and offenders receive the appropriate sanction for the violation.

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<sup>29</sup> An early recall requires that an interlocked vehicle be taken to the vendor prior to its normal servicing schedule due to a large number of lockouts (e.g., failed breath tests).

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## Interlock Program Costs

In examining costs associated with an interlock program, there are two areas to consider: administrative costs and the cost of the device itself.

Administrative costs, including increased workloads and operational systems established to manage a higher volume of cases, are usually absorbed by the State. However, some States have established fees, collected from offenders and vendors, to generate revenue.

Costs associated with the interlock devices themselves are usually paid by the offender and include device installation and maintenance costs, calibration, data collection services, device failed lockout reset fees, and removal fees when an offender leaves the program.

### Potential Sources of Funding

#### Fees Collected From the Offender

- ⑥ Enrollment
- ⑥ Interlock Installation
- ⑥ Monitoring
- ⑥ Transfer of interlock to a new vehicle
- ⑥ Interlock Reset (running retest refusal, device lockout, tampering)
- ⑥ Interlock removal (at the conclusion of the sanction)
- ⑥ Roadside service call
- ⑥ License reinstatement

#### Fees Collected From the Vendor

- ⑥ Initial license and certification
- ⑥ Renewal license and certification
- ⑥ Installation service center certification and licensing (and renewal)
- ⑥ Installer training and certification (and renewal)

Average initial installation costs are about \$70 to \$90. Monthly fees of approximately \$70 cover costs associated with downloading and reporting data captured by the interlock. Assuming that an offender does not violate the sanction (by circumventing or tampering with the device, for example) resulting in the payment of additional fees, the daily cost of an ignition interlock averages about \$3 to \$4 per day, the cost of a typical drink.<sup>30</sup>

### Indigent Funds

State programs face the challenge of how to address the problem that some offenders cannot afford the fees associated with an interlock sanction. To address this, a growing number of States are developing a special indigent offender fund to help offset costs for those who otherwise cannot afford an interlock. This has become increasingly important as more States move to applying an ignition interlock sanction to first offenders.

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<sup>30</sup> TIRF, 2009.

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Sources for indigent offender funds are as varied as the programs themselves, coming from sources such as

- ⑥ Fees imposed on all DWI offenders,
- ⑥ Fees added to license reinstatement, and
- ⑥ A charge added by vendors to their paying customer's fees.

To ensure that only truly indigent offenders receive funding assistance, objective criteria must be developed against which all applicants will be judged. This eliminates bias and reduces the possibility of fraud.

### **Sample Indigency Qualifying Criteria**

- ⑥ Proof of enrollment in one or more public assistance programs (NM)
- ⑥ Financial Disclosure Report Forms itemizing sources of income and expenses (NY)
- ⑥ Gross income as a percentage of the Federal poverty guidelines (CO)

In establishing an indigent offender fund, the following, at a minimum, should be documented.

- ⑥ The agency responsible for administering the fund
- ⑥ Objective criteria to determine eligibility
- ⑥ Fees to be covered
- ⑥ Penalties for interlock violations by participants
- ⑥ Periodic participant reassessment for continued eligibility

When finalized, brochures should be developed that summarize the indigent offender fund, document the criteria, itemize fees to be covered, and outline the process to apply for funding assistance. In addition, an application form should be developed that will be used by all applying for financial assistance.

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## Resources

The documents and Web sites identified below provide the reader with additional information on ignition interlock program implementation and administration.

Association of Ignition Interlock Program Administrators. A new organization designed to provide “leadership to the ignition interlock device community by promoting best practices, enhancing program management, and providing technical assistance to improve traffic safety by reducing impaired driving.” <http://aiipa.org/>.

Centers for Disease Control and Prevention, *Reducing Alcohol-Impaired Driving: Ignition Interlocks*. [www.thecommunityguide.org/mvoi/AID/ignitioninterlocks.html](http://www.thecommunityguide.org/mvoi/AID/ignitioninterlocks.html).

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MADD. *Ignition Interlocks*. [www.madd.org/laws/ignition-interlock.html](http://www.madd.org/laws/ignition-interlock.html). This website provides an overview of MADD’s position on interlocks, fact sheets, frequently asked questions, and additional reference materials.

MADD. *Annual Survey of Currently Installed Ignition Interlocks*. [www.madd.org/blog/2012/august/annual-survey-of-IID.html](http://www.madd.org/blog/2012/august/annual-survey-of-IID.html).

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National Center for DWI Courts. *Ignition Interlock Guidelines for DWI Courts*. [www.dwicourts.org/search/apachesolr\\_search?keys=ignition+interlocks&submit=Go](http://www.dwicourts.org/search/apachesolr_search?keys=ignition+interlocks&submit=Go). This site provides current State legislation, guidelines regarding interlock programs for DWI courts and identifies additional resources.

National Conference of State Legislators. *State Ignition Interlock Laws*. <http://www.ncsl.org/issues-research/transport/state-ignition-interlock-laws.aspx/>.

Traffic Injury Research Foundation.

Ⓢ *Alcohol Interlock Curriculum*. <http://aic.tirf.ca>.

Ⓢ *Alcohol Interlock Programs: Vendor Oversight*. [www.tirf.ca/publications/PDF\\_publications/NHTSA\\_Tech\\_Assistance\\_VendorReport\\_4\\_web.pdf](http://www.tirf.ca/publications/PDF_publications/NHTSA_Tech_Assistance_VendorReport_4_web.pdf).

Ⓢ *Ignition Interlocks From Research to Practice: A Primer for Judges*.

Ⓢ *The Implementation of Alcohol Interlocks for Offenders: A Roadmap*. [www.tirf.ca/publications/PDF\\_publications/CC\\_2010\\_Roadmap\\_2.pdf](http://www.tirf.ca/publications/PDF_publications/CC_2010_Roadmap_2.pdf).

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## Appendix A: Frequently Asked Questions

### Ignition Interlocks

#### **Q: What is an alcohol ignition interlock?**

An alcohol ignition interlock is a device installed on a motor vehicle that is connected to the ignition system. A driver is required to provide a breath sample to verify that the person seeking to operate that vehicle does not have a breath alcohol concentration above a specified limit or set point, usually .02 grams per deciliter. An interlock is comprised of a breath alcohol sensor, typically installed on the vehicle's dashboard, a control unit connected to the vehicle's starter or ignition, and a data collection system.

When an alcohol-free breath sample is given and verified by the interlock system, the ignition interlock will provide power to the vehicle. If the breath test registers above the set point or a person does not provide a breath sample, no power will reach the starter circuit, preventing the vehicle from starting.

At random times after the engine has been started, the device will require the driver to provide another breath sample, called a retest. In these instances, the driver is given several minutes to exit traffic and move to a safe location to take the test. If the breath sample isn't provided or the sample exceeds the set point, the device may warn the driver and activate an alarm (e.g., horn blowing, lights flashing) that will continue until the ignition is turned off or a breath sample that is within the acceptable limits is provided. For safety reasons, the interlock device cannot turn off the vehicle's ignition once it has been started.

An alcohol ignition interlock's software system logs test results and records other data, such as number of times a vehicle is turned on and off, mileage driven, and attempts to circumvent or tamper with the device, providing program administrators with a range of information to monitor offender behavior during the period that the device is installed.

#### **Q: Can an offender bypass using the ignition interlock device?**

Ignition interlocks currently on the market have anti-circumvention features designed to prevent an offender from bypassing the device. Pressure and temperature sensors, in-vehicle cameras to video the breath test, retests, and the ability to record all events related to the vehicle use, have thwarted many of the methods offenders previously used to try to circumvent ignition interlocks. Further, attempts to circumvent the interlock are recorded and offenders can have additional fees and sanctions added to their sentence, reducing the incentive to attempt to thwart the device. Some ignition interlock models contain an override feature as an option, allowing a driver to be able to start the vehicle without taking a breath test, to be used only in emergency situations. It is important that, if this feature is included on the interlock, the data recorder continue to function as normal, recording all data routinely collected (e.g., mileage, length of time the vehicle was driven) so that it can be compared with the explanation provided by the driver. To prevent misuse of this feature, additional requirements to a driver's sanction, such as servicing following each use of the emergency override and extending the time the device is on the vehicle, should be required.

There is also the possibility that offenders will attempt to avoid interlock installation by claiming they do not own a vehicle or that they do not drive, or simply by driving another vehicle. To encourage interlock use, States can employ incentives (e.g., shorter license suspension with an interlock, reduced fines and fees), increase offender follow-up and monitoring to ensure interlocks are installed, or increase sanctions for offenders who do not install or use the device.

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Some States have established vehicle usage criteria (e.g., the average number of miles an offender would be expected to drive to and from work on a weekly basis) when offenders are ordered to install an interlock. If it is subsequently determined that the vehicle with the ignition interlock has not been driven the expected number of miles, the State can further sanction the offender if there is no justification for the low mileage.

**Q: What happens if an offender takes medicine with an alcohol base or uses an alcohol-based mouthwash?**

Alcohol is alcohol. If the BAC found in the breath sample exceeds the set point, the vehicle will not start. In the case of mouthwash containing alcohol, if the driver waits several minutes for the mouth alcohol to dissipate and then takes a retest, the vehicle should start.

**Q: What happens when an offender tries to start a vehicle after drinking alcohol?**

The ignition interlock will enter a short lockout period of a few minutes for the first failed test, followed by a longer lockout for any subsequent test. This permits an opportunity for the alcohol to dissipate from the mouth and allow the driver to consider the reason for the failed test. If subsequent tests are not passed, the vehicle will not start.

**Q: How do ignition interlocks affect the offender's family?**

Anyone using a vehicle with an ignition interlock must blow into the device for the vehicle to start. In spite of the inconvenience, most family members favor interlocks, as they maintain order in the family: the offender can continue to drive to work and appointments, and children can be driven to school and other activities. The alternative, losing the driving privilege, can be very disruptive to a family. It can result in the offender losing his or her job due to lack of transportation, family members having to provide the offender transportation to work and appointments, or the offender violating additional laws (driving without a license, driving while impaired, etc.).

**Reliability and Effectiveness of Ignition Interlocks**

**Q: How reliable are ignition interlocks?**

The NHTSA Model Specifications, first adopted in 1992, provide that an ignition interlock must prevent a vehicle from starting 90 percent of the time the BAC is .01 g/dL greater than the set point (.02 g/dL in extreme weather conditions).<sup>31</sup> Using the Model Specifications as a starting point, individual States have developed performance standards for devices eligible for use in the State. On May 8, 2013, NHTSA published revised Model Specifications for BAIDs in the Federal Register (78 Fed. Reg. 26849), revising the 1992 Model Specifications.

**Q: How effective are ignition interlocks?**

Research has demonstrated that many alcohol-impaired drivers continue to drive illegally regardless of the fact that their driver's license has been suspended or revoked. An ignition interlock is designed to prevent that by permitting an offender to continue to drive so long as he/she passes the interlock's breath test. Ignition interlocks effectively deter impaired driving while they are on the offender's vehicle. In fact, recidivism is reduced by 50 to 90 percent while the device is installed.

**Q: Are ignition interlocks effective for first-time and repeat DWI offenders?**

Research shows that an ignition interlock on an offender's vehicle keeps both first-time and repeat DWI offenders from driving after drinking while it is installed on the vehicle.

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<sup>31</sup> Model Specifications for Breath Alcohol Ignition Interlock Devices, 1992.

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## Interlock Programs

### **Q: How are ignition interlock programs administered?**

There are currently three types of ignition interlock programs used in the United States:

- ⑥ **Administrative.** A State licensing authority or similar agency requires the installation of an interlock device as a condition of licensing for a suspended driver, for license reinstatement, etc.
- ⑥ **Judicial.** The courts mandate an interlock device for offenders, either pre-trial or post-conviction.
- ⑥ **Hybrid.** A combination of the administrative and judicial approaches.

The fundamental difference between the first two is that State licensing authorities are more likely to order the use of interlocks, while judges that order interlocks can more effectively enforce the interlock requirement. The hybrid approach seeks to combine the best attributes of each of the other types for a more comprehensive and effective program.

### **Q: Who is eligible to have an ignition interlock installed?**

Ignition interlock laws exist in all States, and those States with active interlock programs administer them through several means: administratively (through a department of motor vehicles or similar agency), judicially (through court mandate), or a hybrid approach (a combination of elements of the administrative and judicial approach). Generally, interlock eligibility is either required or provided in one of four ways:

1. A voluntary option for some offenders in return for a shorter license suspension;
2. A requirement by an individual judge as a condition of probation;
3. A requirement by State law for some or all repeat or high BAC (usually .15 g/dL or above) offenders as a condition of license reinstatement; or
4. A requirement by State law for all offenders as a condition of license reinstatement.

See *Appendix B: State Ignition Interlock Laws, Regulations, and Program Information*, for a listing of eligible offenders by State.

### **Q: How much do interlocks cost?**

While installation of an ignition interlock varies by vendor, features, and region of the country, they generally cost between \$70 and \$90 to install. In addition, there are monthly monitoring fees and a removal fee required at the conclusion of the sanctioning period. If an offender does not violate the sanction by failing a test or attempting to circumvent or tamper with the device, which can result in additional fees, the average daily cost is \$3 - \$4, or about the cost of a typical drink.

### **Q: What if the offender is unable to afford the cost?**

While most States require that the entire cost of an ignition interlock sanction be paid by the offender, more and more States are establishing an indigent offender fund to cover a portion (or all) of the costs associated with installation, monitoring and servicing for qualifying offenders. In these cases, specific criteria define “indigent,” ensuring that non-indigent offenders are not able to take advantage of the program.

See *Appendix B: State Ignition Interlock Laws, Regulations, and Program Information* for a listing of those States that maintain an indigent offender fund.

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## **Appendix B: State Ignition Interlock Laws, Regulations, and Program Information**

This appendix is intended for informational and educational purposes only, and is not intended to provide legal advice. Laws, regulations and policies vary not only by State but also by local jurisdiction. Therefore, it is important to seek out legal advice from a licensed attorney on specific issues or questions you may have. For your reference, we have compiled a State-by-State list of ignition interlock laws, regulations and program information. Please note that information may have changed since the publication of this toolkit.



State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Alabama	Mandatory	Hybrid	First offenders with a BAC of .15 g/dL or higher, a minor in the vehicle, or who caused injury to another, upon license reinstatement.	Y	0	287	Draeger, SmartStart	AL Dept. of Public Safety 334.353.8216; AL Dept. of Forensic Sciences (device specifications) 334.84.4648
Alaska	Mandatory	Judicial	Mandatory for all offenders	N	2,175	4,420	Draeger, SmartStart	Deputy Commissioner, AK Dept. of Corrections 907.465.4670
Arizona	Both	Hybrid	Mandatory for all offenders (administrative) Permissive (courts)	N	19,153	35,496	Alcohol Detection Systems, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Criminal Justice Liaison Ignition Interlock Program Manager, Motor Vehicle Division, AZ DOT 602.712.7677
Arkansas	Permissive	Administrative	First or subsequent convictions	N	5,000	7,758	Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Manager, Driver Control, Office of Driver Services, AR Dept. of Finance and Administration 501.682.7060
California	Both	Hybrid	Permissive for first offenders, mandatory for repeat offenders	N	21,900	104,345	Alco Alert Interlock, Alcohol Detection Systems, Autosense International, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Manager, CA DMV Driver Licensing Policy Unit 916.657.6217
Colorado	Mandatory	Administrative	Mandatory for repeat offenders; others permissive	Y	19,363	27,314	Alcohol Sensors International, AutoSense International, Combined Systems Technology, Draeger, Guardian, LifeSafer, SmartStart	Operations Director / Driver Control, DO Dept. of Revenue 303.205.5795
Connecticut	Mandatory	Hybrid	Repeat offenders	Y	1,434	8,487	Alcohol Detection Systems, Consumer Safety Technology, Draeger, SmartStart	Division Chief 1 DMV 60 State Street Wethersfield, CT 06161 860.263.5720



State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Delaware	Mandatory	Hybrid	Mandatory for repeat offenders; others permissive	Y	232	242	Draeger, LifeSaver	DE DMV P.O. Box 698 Dover, DE 19903 302.774.2408
District of Columbia	Permissive	Administrative	Repeat offenders may apply	N		43	Alcohol Detection Systems	
Florida	Mandatory	Hybrid	Mandatory for repeat offenders; permissive for offenders applying for license reinstatement	N	9,110	43,784	Alcohol Countermeasure Systems, LifeSafer	Bureau of Driver Education & DUI Programs Division of Driver Licenses 850.617.3815
Georgia	Mandatory	Judicial	Mandatory for repeat offenders; others permissive.	N	2,294	31,176	Alcohol Detection Systems, AutoSense International, Consumer Safety Technology, Determinator, Draeger, Guardian, LifeSafer, Safety Interlock Systems, SmartStart	Regulatory Compliance Division GA Dept. of Driver Services 770.413.8413
Hawaii	Mandatory	Judicial	Mandatory for all convictions	Y	1,254		SmartStart	Highway Safety Specialist HI DOT 808.587.6315
Idaho	Permissive	Judicial	May be required after licensing action, shall not exceed probation period	Y	832	9,161	Consumer Safety Technology, Guardian, LifeSafer, SmartStart	Grants/Contract Officer Office of Highway Operations and Safety 208.334.4467
Illinois	Mandatory	Administrative	Mandatory for all offenders	Y	9,841	3,619	AAA Interlock, Alco-Test, Consumer Safety Technology, Guardian, National Interlock Systems, SmartStart	Director BAIID & MDDP 207 Howlett Bldg. Springfield, IL 62756 217.782.4128
Indiana	Both	Judicial	Permissive, to obtain probationary driving privileges.	N (Indigents do not have to pay, unclear who does)	370	20,043	Guardian, SmartStart	Traffic Safety Resource Prosecutor IN Prosecuting Attorney's Council 317.232.1836
Iowa	Mandatory	Administrative	Mandatory for all offenders seeking reinstated license; all subsequent offenders	N	5,386	11,889	Autosense, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Governor's Traffic Safety Bureau IA DPS 515.725.6128

State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Kansas	Mandatory	Administrative	Mandatory for all offenders	Y	4,100	11,470	Autosense International, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Chief, Driver Control Bureau, DMV KS Dept. of Revenue 785.296.6894
Kentucky	Permissive	Judicial	Mandatory for all offenders	N	185	22,973	Alcohol Sensor International, AutoSense International, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Court Record Section Supervisor Div. of Driver Licensing Dept. of Vehicle Regulation 502.564.0279, ext. 4205
Louisiana	Mandatory	Hybrid	Mandatory for all offenders	N	4,869	6,032	Alcohol Detection Systems, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Driver Management Manager, Office of Motor Vehicles LA DPS 225.925.6983
Maine	Permissive	Administrative	Repeat Offenders	N	403	5,802	Consumer Safety Technology, Sens-O-Lock, SmartStart	Director of Driver License Services 29 State House Station Augusta, ME 04333-0029 207.624.9000, dial 1 then ext. 52104
Maryland	Both	Hybrid	Repeat offenders and other specific cases	Y	10,480	17,402	Alcohol Detection Systems, Guardian, Draeger, National Interlock, SmartStart	Driver Programs MD Motor Vehicle Administration 410.424.3043
Massachusetts	Mandatory	Administrative	Mandatory for repeat offenders seeing a hardship license; others permissive	N	5,315	9,887	Alcohol Detection Systems, Draeger, Guardian, LifeSafer, SmartStart	MassDOT Registry of Motor Vehicles Interlock Compliance Dept. 617.351.9119
Michigan	Mandatory	Administrative	Offenders granted a restricted license; drivers with a .17 g/dL BAC or higher	Y (Low income offenders pay \$1/day by law)	7,060	29,443	Alcohol Countermeasures Systems, Alcohol Detection Systems, Inc., Consumer Safety Technology, Draeger, Lifesaver Interlock, SmartStart	Ignition Interlock Coordinator, Driver Assessment and Appeal Division, MI Dept. of State, 517-335-0104

State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Minnesota	Both	Hybrid	All offenders	N	4,050	24,543	Consumer Safety Technology, Draeger, SmartStart	Alcohol Coordinator Office of Traffic Safety MN DPS 651.201.7074
Mississippi	Permissive	Judicial	Repeat offenders	N	0	11,251	LifeSafer	Section Chief MS Crime Lab 601.987.1600
Missouri	Mandatory	Judicial	Mandatory for three or more DUIs; others permissive	N	6,866	29,447	AutoSense International, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Sr. Systems Management Analyst Highway Safety Division MO DOT 573.751.5960
Montana	Mandatory	Hybrid	Permissive for first offenders; mandatory for subsequent convictions	N	330	4,251	Consumer Safety Technology, Guardian	Chief, Records & Driver Control Bureau Motor Vehicle Division 406.444.1776
Nebraska	Both	Judicial	Permissive	N	3,868	12,005	Alcohol Detection Systems, Best Interlocks, Consumer Safety Technology, Draeger, Guardian, Interceptor Ignition Systems, LifeSafer, SmartStart	Legal Counsel NE Dept. of Motor Vehicles 402.471.4706
Nevada	Both	Judicial	Mandatory for high (.18+) BAC; fatal or serious injury crash; 3rd or more offenses seeking a restricted license; others permissive	N	689	11,834	Alcohol Detection System, Consumer Safety Technology, Draeger, Guardian, National Interlock System, SmartStart	Impaired Driving Programs Manager Office of Highway Safety NV Dept. of Public Safety 775.684.7477
New Hampshire	Mandatory	Judicial	Mandatory for repeat DWI while driving revoked or suspended; aggravated and repeat offenders after period of revocation	N	469	3,616	Consumer Safety Technology, Draeger	Administrator Division of Motor Vehicles NH Dept. of Safety 603.271.0351

State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
New Jersey	Both	Judicial	After completion of license suspension, installation may be required	N	869	26,206	Alcohol Detection Systems, Draeger, Guardian, National Interlock Service, SmartStart	Motor Vehicle Commission 609.292.4630
New Mexico	Mandatory	Administrative	Mandatory for all offenders	Y	12,781	11,460	Alcohol Countermeasure Systems, Alcohol Detection Systems, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Ignition Interlock Program Manager Traffic Safety Bureau NM DOT 505.795.2407
New York	Both	Judicial	Mandatory for high (.18+) BAC offenders; all DWI drivers with minor in the vehicle	Y	7,367	35,541	Alcohol Detection Systems, Consumer Safety Technology, Draeger, Guardian, Interceptor Ignition Interlock, LifeSafer, SmartStart	NYS Dept. of Probation and Correctional Alternatives 518.485.9941
North Carolina	Both	Administrative	Mandatory for repeat and high (.15+) BAC offenders seeking a hardship license; others permissive	N	9,100	53,700	Monitech, SmartStart	Chief Resource Prosecutor, NC Conference of District Attorneys Mail Service Center 3133 Raleigh, NC 27699-3133 919.861.3035 Asst. Chief Hearing Officer/Trainer NCDMV 919.861.3557
North Dakota	Permissive	Hybrid	Permissive for all offenders	N	0	4,836	None approved to date	Manager, Traffic Safety Office ND DOT 701.328.4434
Ohio	Both	Judicial	All offenders	N	2,368	36,528	Alcohol countermeasures System, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	OH DPS Legal Section 614.752.7014

State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Oklahoma	Both	Hybrid	Mandatory for certain repeat offenders; reinstating a drivers license; aggravated DUI	N	3,253	14,563	Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Ignition Interlock Program Administrator Board of Tests for Alcohol and Drug Influence 405.425.2468
Oregon	Mandatory	Hybrid	Mandatory for all offenders at end of suspension	Y	4,293	14,966	Alco Alert Interlock, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Driver Control Program Coordinator, or DOT-DMV 503.945.5276
Pennsylvania	Mandatory	Administrative	Mandatory for repeat offenders	N	6,616	48,519	Alcohol Countermeasures Systems Corp., Alcohol Detection Systems, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Impaired Driving Program Manager PennDOT 717.783.1902
Puerto Rico	No statutory provisions	N/A	Repeat offenders				None approved to date	
Rhode Island	Both	Judicial	Repeat offenders	N	37	2,508	Consumer Safety Technology, Lifesaver, B.E.S.T. Labs, SmartStart, Guardian, LifeSafer, SmartStart	Division of Motor Vehicles Department of Revenue (401) 462-4368
South Carolina	Mandatory	Administrative	Repeat Offenders	Y	879	15,674	Guardian, LifeSafer, SmartStart	IID Administrator Probation, Parole and Pardon Services 803.734.9220
South Dakota	Permitted	N/A	As determined by County Sheriff or Department of Corrections as part of 24/7 Sobriety Program	N	19	5,269	None approved to date	Office of the Attorney General 605.202.0387
Tennessee	Both	Judicial	Mandatory for high BAC, underage passenger in vehicle; crash involved, implied consent violation. Permissive for license reinstatement	Y	2,243	25,559	Consumer Safety Technologies, Draeger, SmartStart	TN Highway Patrol TN Dept. of Safety 615.687.2400

State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Texas	Both	Judicial	Mandatory for repeat and high (.15+) BAC offenders; others permissive	N (Providers will reduce costs for indigents)	37,564	85,715	Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart, Alcohol Detection Systems, Alcolock, B.E. S.T. labs, Monitech	TX Department of Public Safety 512.424.7293
Utah	Both	Judicial	Mandatory for high BAC offenders and people under 21 as a condition of probation; permissive as condition of probation for all offenders	N (Court can order provider to absorb costs)	2,500	3,184	Alcohol Sensors International, Consumer Safety Technology, Guardian, LifeSafer, SmartStart	Alcohol Program Manager Highway Safety Office UT DPS 801.957.8586
Vermont	Permissive	Administrative	First offense in lieu of suspended license; second offense, 90 days; third offense, one year	N	167	2,264	Consumer Safety Technology, Guardian, Interceptor Ignition Interlocks, LifeSafer, SmartStart	Vermont Agency of Transportation Dept. of Motor Vehicles 802.828.2050
Virginia	Mandatory	Judicial	Mandatory for repeat and high (.15+) BAC offenders; others permissive	N (VASP may waive or reduce fees after court declares indigent)	4,567	28,950	Alcolock, Draeger, LifeSafer, SmartStart	Executive Director Commissioner on Virginia Alcohol Safety Action Program (VASAP) 804.786.5895
Washington	Both	Hybrid	Mandatory for all offenders	N	28,021	11,101	Autosense International, Consumer Safety Technology, Draeger, Guardian, LifeSafer, SmartStart	Impaired Driving Program Manager, WA Traffic Safety Commission 360.725.9889
West Virginia	Both	Administrative	Mandatory for 1st offense with .15+ BAC; mandatory for repeat offenders	Controlled by Bureau for Behavior Health and Health Facilities	2,979	5,356	LifeSafer, SmartStart	Supervisor DUI-Interlock Section WV DMV 304.926.2507

State	Interlocks Mandatory Permissive or Both	Administrative Judicial or Hybrid	DWI Offenders Eligible	Indigent Fund Y/N	Interlocks In Use, 2012*	DWI Arrests 2011**	Interlock Manufacturers Approved to Provide Services	State Contact
Wisconsin	Mandatory	Judicial	Mandatory for high BAC offenders, second and subsequent offenses, and all test refusals	N	6,069	28,798	Consumer Safety Technology, Draeger, LifeSafer	Chief, Driver Information Section WI DOT 608.264.7002
Wyoming	Mandatory	Administrative	Mandatory for high (.15+) BAC and repeat offenders	N	674	4,970	Consumer Safety Technology, SmartStart	Program Manager WY DOT 307.777.4815

\* Roth, 2012

\*\* FBI, 2012

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## Appendix C: Publicity and Promotion

*States may wish to consider publicizing interlock programs more widely. If there is a wider perception among the general population that convicted DUI offenders must install interlocks, interlock laws may act as deterrents for drivers who have never had a DUI arrest.*

McCartt et al.  
Washington State's Alcohol Ignition  
Interlock Law 2012

A key element to a successful ignition interlock program is a proactive publicity and education campaign. An effective campaign will serve several purposes:

- ⑥ Inform policy makers, court personnel, treatment officials, and others of details of the program, roles and responsibilities of all agencies and officials involved, and enhance cooperation, collaboration, and program delivery;
- ⑥ Educate the public on the nature of the impaired driving problem in the State or community and how the interlock program will punish specific offenders as well as enhance the safety of all roadway users; and
- ⑥ Act as a general deterrence measure, by putting potential offenders on notice that if they are arrested for impaired driving they may become subject to an ignition interlock as a sanction, with the costs and stigma associated with its use.

Each of these purposes require details of the ignition interlock program itself—what an interlock is and how it works, the laws and regulations regarding their use—as well as State and local data pertaining to DWI arrests, alcohol-impaired driving crashes and fatalities, and demographic data regarding the primary offenders.

Educational materials should identify program goals and objectives, specifying how the interlock program will reduce the problem of impaired driving. Examples of early program successes should be included to demonstrate the value of the program, as well as statements of support from stakeholders, where available.

While material developed for each audience may be similar, it is important that separate material be developed to address the specific needs of the individual audience you intend to reach and your goal in reaching out to them.

### Sample Talking Points

#### **Ignition Interlocks – How They Work**

- ⑥ An alcohol ignition interlock is a device installed on a motor vehicle that analyzes the breath alcohol concentration of the driver to determine if it is below a set point of **[insert State limit]** before the vehicle will start.
- ⑥ A breath alcohol sensor is typically installed on the vehicle's dashboard, and a control unit is connected to the vehicle's ignition.
- ⑥ When a breath sample containing no alcohol is provided, the vehicle will start. However, if the breath test registers above the set point or the driver does not provide a breath sample, the interlock will prevent the vehicle from starting.



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- ⑥ Rolling retests are required to ensure that a driver does not drink after starting the vehicle.
  - ⑥ There are built-in technologies to reduce the possibility of tampering with or attempting to circumvent the device.

### ***Interlocks prevent DWI offenders from driving after drinking***

- ⑥ The safety of the motoring public is protected through the use of interlocks. A drinking driver cannot drive a vehicle when an interlock is installed.
- ⑥ A considerable body of research has demonstrated the effectiveness of interlocks. Recidivism rates are reduced an average of 64 percent while interlocks are installed on an offender's vehicle.

### ***Ignition interlocks are a cost-effective sanction for DWI offenders.***

- ⑥ Ignition interlock costs are borne by the offenders.
- ⑥ The average cost for an interlock is approximately **[insert State fee]** for initial installation, about **[insert State fee]** per month for servicing and monitoring, and a removal fee of approximately **[insert State fee]** at the end of an offender's sentence.
- ⑥ Total costs average approximately \$3 to \$4 per day, or the cost of a typical drink.
- ⑥ An indigent offender fund has been established to assist those offenders who are unable to pay to full amount of the cost of an interlock. **[If available]**

### ***Interlocks allow offenders to drive legally***

- ⑥ Research finds that up to 75 percent of offenders drive illegally after DWI license suspensions.
- ⑥ The inability to drive legally can be a serious barrier to maintaining employment and complying with sentencing requirements, particularly in rural areas where there is no access to public transportation.
- ⑥ Ignition interlocks allow offenders to remain employed and maintain family and court-ordered responsibilities.
- ⑥ Interlocks provide offenders a way to regain legal driving privileges while ensuring they drive alcohol-free, reducing impaired driving and improving public safety.

### ***Public support for ignition interlocks***

- ⑥ There is broad public support for the use of interlocks as a tool to enhance public safety.
- ⑥ Eighty-four percent of the public favors ignition interlocks for DWI offenders.
- ⑥ Several State surveys indicate families of offenders with interlocks supported their use, in spite of the inconvenience and costs involved, because they believed they stop the offender from driving after drinking.

### ***Checklist of Specific Items for Publicity and Educational Purposes***

Because each ignition interlock program varies according to each individual State's laws and regulations, there can be no one template for an educational and media campaign. Depending on the purpose of the material—press release or talking points for a press event, in-depth presentation before a professional association or citizen group, or training for those who will be responsible for some aspect of the ignition interlock program—different information and levels of specificity will be required in the materials prepared.

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In addition to the above talking points that address ignition interlocks generally, the following checklist provides ideas to assist in developing more in-depth materials. This checklist can also be used to develop collateral materials such as flyers and brochures, to be made available to the public at various venues.

- Identify State law and regulations
  - Eligible offenders (first offender, high-BAC, repeat offender, etc.)
  - How an offender enters the system
  - Length of the program
  - Offender monitoring
  - Costs associated with the program
    - Source of funds
    - Indigent offender program fund (if available)
  - Sanctions for circumventing the interlock and/or failed tests
  
- Efficacy of the ignition interlock system
  - Benefits of the system in terms of public safety
  - Social and familial benefit
  - Inability of offenders to defeat the system
- Program management
  - Agency having program oversight
    - All agencies involved
  - Coordination between agencies
  - Roles/responsibilities between agencies
  
- Interlock Vendors and their devices
  - Vendor selection and certification criteria
  - Certification and calibration of the devices
  - Data collected by the interlock and its purpose
  - Certification of interlock installation facilities
  - Training and certification of installers
  - Process for installation, servicing, and removal of the device
  - Process of decertification/de-licensing of vendors or technicians
  
- Linkage to treatment
  - Substance abuse treatment requirements for offenders
  - Link between data collected and treatment
  - Link between counseling and duration of interlock requirement

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## Appendix D: Internal Planning and Preparation

This checklist, prepared by the Traffic Injury Research Foundation, for its *Alcohol Interlock Curriculum for Practitioners*, contains a number of elements that should be considered in program planning. It is reprinted here with the permission of TIRF.

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# ALCOHOL INTERLOCK CURRICULUM

## for Practitioners

### Checklist #1: Internal Planning and Preparation

#### A: Preparing for implementation

- Did you appoint a coordinator who will be the point-person and manager throughout the implementation process of the alcohol interlock program in your jurisdiction?
- Did you identify the person or agency that will be responsible for regulating the alcohol interlock program? Do they have the funding and/or assets necessary to perform this function on a continuing basis?
- Did you organize a roundtable with all stakeholders who will be involved in the alcohol interlock program (e.g., DMV, prosecutors, judges and court administrators, probation officers, treatment professionals, law enforcement, defense counsel, and interlock service providers and/or manufacturers etc.) to gather relevant input and perspectives?
- Did you establish and articulate the purpose and goals of using the alcohol interlock in your jurisdiction and did you reach a consensus among stakeholders? *Note that jurisdictions with both court and administrative aspects may seek different outcomes and may require multiple goals.*
- Did you develop an action plan that specifies:
  - the purpose and goals of using the alcohol interlock in your jurisdiction;
  - a list of involved stakeholders and an indication of their role and contact information;
  - a description of the coordinator's responsibilities;
  - a time frame with milestones and deliverables for the implementation process; and,
  - a list of actions assigned to different people/agencies?
- Did you consider organizing a field study that involves a dry run (allowing front-line staff to 'experiment' with the technology) and/or a small-scale field study using the technology on real test subjects (i.e., offenders)?
- Did you contact other state coordinators to identify subtle technical aspects of statewide alcohol interlock program (e.g., standardizing calibrations methods, allowing fuel cell devices only, requiring physical inspections of service centers, etc.)?

#### B: Creating accountability

- Are the roles and responsibilities of all agencies involved in the alcohol interlock program documented and communicated in order to create accountability for agencies and interlock participants?
- Did you create a work-flow chart that illustrates each and every step of the alcohol interlock program, beginning with the moment a drunk driver is arrested through to the moment the interlock device is removed after completion of the monitoring period?

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## ALCOHOL INTERLOCK CURRICULUM for Practitioners

This work-flow chart is useful to identify and document the roles of each agency/participant involved in the alcohol interlock program. This can provide a good overview of the program for each agency and help create accountability for the completion of tasks.

- Did you reach a consensus about the definition of alcohol interlock program violations, i.e., what types of behavior of interlocked clients in your program will be logged as a violation and precipitate an early recall? For example, common violations in most jurisdictions include: two failed breath tests when starting the car within a period of one week or one failed breath test when performing a running retest.
- Did you consider the way in which definitions of specific program violations will impact the volume of work and the related financial costs associated with monitoring?
- Did you integrate the data that will be captured by the alcohol interlock device into the work-flow chart to clearly illustrate critical events and provide an understanding of responsibilities related to reporting?
- Have the responses to and/or consequences of violations been integrated into the work-flow chart?
- Did you consider strategies to minimize workload associated with reporting?
- Did you identify with input from relevant stakeholders weaknesses in the work-flow that may become problematic and did you develop back-up plans or alternatives to deal with such problems?
- Did you consider the financial implications of monitoring and reporting more frequently?
- Did you anticipate that interlock clients typically require more attention at the outset when they are likely to 'test' the alcohol interlock device but that the workload associated with each client is likely to decline over time as they become aware that the alcohol interlock device does indeed log violations?
- Did you consider using the information from the alcohol interlock device not only to impose consequences for continued drinking and driving but also to encourage the interlock clients when they demonstrate good or compliant behavior?
- Did you develop a scheme of graduated sanctions and reinforcements that can be used when program violations or good behavior are logged and reported?
- Did you ensure that all the stakeholders who are identified in the work-flow chart have the tools and resources they need to meet their responsibilities?

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## Appendix E: External Relationships with Vendors

This checklist, developed by the Traffic Injury Research Foundation for its *Ignition Interlock Curriculum for Practitioners*, details key elements to be considered in all aspects of vendor selection and management. It is reprinted here with the permission of the Foundation.

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# ALCOHOL INTERLOCK CURRICULUM

## for Practitioners

### Checklist #2: External Relationships with Vendors/Service Providers

#### A: Exploring vendor and service provider options

- Did you meet in person with representatives of the different vendors and/or alcohol interlock service providers who would be eligible to provide service for the alcohol interlock program in your jurisdiction?
- Did service representatives provide you with a complete written overview of their product, its features, and the types of service that will be provided?
- Did service representatives provide you with an overview of:
  - how the offender monitoring process would be managed;
  - what reports would be provided to you;
  - an explanation of what these reports contain; and,
  - how frequently reports will be provided?
- Did the service representatives provide you with the information you requested about their technology and services in a timely, professional and transparent fashion?
- Were the service representatives able and willing to provide job references from other agencies or jurisdictions where they provide service? Did you contact these references with a prepared list of questions to be answered?
- Were the service representatives sensitive to issues specific to the context of your jurisdiction and did they offer solutions to those issues (e.g., the use of mobile service units in rural jurisdictions where fewer service centers would be available)?
- Did the service representatives express a willingness to collaborate with competitors as needed when more than one vendor would be eligible to provide service in your jurisdiction (e.g., agreements about providing service in remote areas or servicing high-end vehicles)?

#### B: Selecting alcohol interlock devices

- Did you review the technical device standards for alcohol interlock devices that were developed by the National Highway Traffic Safety Administration?
- Did you review any device standards or regulations that are applicable in your state? These regulations were most likely developed by the Department of Transportation, Department of Public Safety, Secretary of State or other similar agency in your state and/or can be found in your administrative code.
- Did you determine if other, more stringent or more recent standards that may be relevant are available in other jurisdictions? For example, the European Standards on alcohol interlock devices are the most current and stringent.





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## ALCOHOL INTERLOCK CURRICULUM for Practitioners

- Did you consider the desirability of using alcohol interlock devices in your program that meet the most stringent standards available, even if those more stringent standards, strictly speaking, do not apply to your jurisdiction?
- Have you established a testing protocol and did you test each type of alcohol interlock device that is being considered for use in your jurisdiction to ensure that it is approved and meets the technical standards that apply to your jurisdiction? Ideally these devices should be tested in both a lab and in a real-world setting to see how they perform.

### **C: Developing a certification process**

- Did you establish a certification procedure for service providers that clearly outlines the process of becoming certified, the requirements for being certified, and the agency/persons responsible for certifying candidates?
- Did you consider background screening of alcohol interlock service provider staff for security reasons as part of the certification procedure?
- Did you require that all alcohol interlock service provider staff (that have access to sensitive information from interlocked clients) sign a privacy statement to limit their use of these data to purposes within the scope of the program?
- Did you consider the need for QA of the following components of the services to be delivered by the provider such as:
  - data encryption and secure storage of interlock data;
  - time for installing and de-installing the interlock in the clients' vehicles;
  - instructions to and training of the interlock client on how to use the device and delivery of an accompanying manual that outlines usage of the device in a concise and user-friendly manner;
  - availability of alcohol interlock devices with instructions in different languages;
  - procedure to deal with locked out clients;
  - procedure to deal with early recalls;
  - procedure to deal with interlock clients who have medical problems which makes it difficult to deliver breath samples;
  - time for downloading the interlock data and uploading it to a data warehouse;
  - accessibility and user-friendliness of the data warehouse by end users such as judges, DMV, treatment;
  - locations and facilities at those locations including office space, a waiting area for interlock clients, furniture;
  - hours of operations;
  - minimal number of service centers and/or mobile service centers;
  - availability of 24/7 support to interlock clients.
- Did you establish a de-certification procedure for service providers to allow for the removal of service providers that deliver poor quality or unacceptable service? This procedure should clearly outline:
  - under what conditions service providers can be removed;
  - what paperwork must be completed;



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## ALCOHOL INTERLOCK CURRICULUM for Practitioners

- any documentation that must be provided; and,
  - what process should be completed to stop a poor quality service provider from continuing to conduct business in your jurisdiction.
- 
- Did you develop a quality assurance (QA) process that could serve to provide requisite information for a de-certification procedure in case the decision is challenged by a service provider?

### **D: Developing administrative rules and/or contracts**

#### **Request for proposal**

- Did you consider the pros and cons of an open provider program versus a sole provider program?
- Did you issue a request for proposal (RFP) to alcohol interlock service providers and/or manufacturers?
- Did you develop a set of objective criteria against which the different bids will be evaluated and a procedure for selecting successful bidders?
- Did you include a clause in the RFP describing the time frame within which the successful bidder must be operational?

#### **Certification and quality assurance process**

- Did you include a clause in the administrative rules or contract that describes the minimal standards for certification in your jurisdiction?
- Did you include a clause in the rules or contract about the certification, de-certification and specific quality assurance procedures described above?
- Did you include a clause in the rules or contract about the availability of a point-person with the alcohol interlock service provider and/or manufacturer on an ongoing basis throughout your program to provide support and trouble-shooting?

#### **Training**

- Did you include a clause in the rules or contract to ensure that staff of the different agencies involved in the alcohol interlock program receives training from recognized service provider and/or manufacturer? Training materials should include the use of a demo interlock device and/or a demo interlock vehicle for staff to try.
- Did you ensure that the training by the alcohol interlock service provider and/or manufacturer covers understanding, interpreting and using reports from the alcohol interlock device?
- Did you include a clause in the rules or contract about training interlock clients during the installation of the device to ensure they know how to handle and use the interlock?



The knowledge source for safe driving

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# ALCOHOL INTERLOCK CURRICULUM

## for Practitioners

- Did you include a clause in the rules or contract about the use of user-friendly training materials in available languages for interlock clients?

### **Court testimony**

- Did you include a clause in the rules or contract that describes the information that the alcohol interlock service provider and/or manufacturer must provide to the court when a violation has occurred and is being challenged by the interlock client?
- Did you include a specific timeframe in which the vendor or service provider must respond to this request or provide this information?
- Did you include a clause in the rules or contract to address the issue of expert witness testimony in the event of legal challenges to the device and/or reports? For example:
  - that alcohol interlock service provider and/or manufacturer will provide make available any expert witnesses;
  - how such testimony will be provided (e.g., in person, by telephone);
  - the criteria for qualification as an expert witness;
  - the coverage of any associated costs when court testimony is required.

### **Miscellaneous**

- Did you include a clause in the rules or contract about product liability?
- Did you include a clause in the rules or contract about what events the alcohol interlock devices have to monitor and log at a minimum?
- Did you include a clause in the rules or contract describing the definitions of violations and the set level for failed breath tests, and, if applicable, failed breath tests values for persons under 21 or older?
- Did you include a clause in the rules or contract regarding the required length of time the alcohol interlock service provider and/or manufacturer has to store data?
- Did you include a clause in the rules or contract about intellectual property rights of all the data that will be collected?
- Did you include a clause in the rules or contract that may require different alcohol interlock service providers and/or manufacturers who will be providing services in your jurisdiction to work cooperatively as needed (e.g., to provide service in remote locations)?
- Did you include a clause in the rules or contract regarding reciprocity among different alcohol interlock service providers and/or manufacturers, for example:
  - If an interlock client relocates to an area in your jurisdiction covered by another service provider, who will pay for de-installing the device from one provider and installing the device from the new provider?
  - What happens if a service provider goes out of business, do their clients get handed over to another provider?



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## ALCOHOL INTERLOCK CURRICULUM for Practitioners

- What happens if there is a surge of offenders due to a major sobriety checkpoint program? Is there a guarantee about how quickly an offender will get an interlock on their vehicle? Would the overflow be directed to another service provider?
- Did you include a clause in the contract about payment schemes including prices for installation and de-installation of alcohol interlock devices, downloading of data and services related to early recalls, permanent lockouts and medical problems?
- Did you include a clause in the administrative rules or contract that defines under what circumstances an alcohol interlock service provider and/or manufacturer may terminate a participant (e.g., AWOL, damaged or stolen equipment)?

### **E: Managing the reporting process**

- Did you formulate requirements with respect to reporting of the data including:
  - what elements should be reported;
  - which key elements should be highlighted;
  - under which circumstances should such events and elements be reported;
  - how it should be reported (e-mail, fax, phone, etc.);
  - how frequently it should be reported.
- Did you ensure that reporting (procedure and format of the reports) will be standardized if more than one alcohol interlock service provider and/or manufacturer will be used in your jurisdiction?
- Did you consider requiring that reports and reporting are software driven to eliminate subjective reporting by the provider?
- Did you consider the desirability and usefulness of web based access to the manufacturer's web site, e.g., to look up client records, determine next serve date or where client is serviced?



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## Appendix F. Sample Forms

Several forms are provided as examples of program oversight. They are included to demonstrate the range of elements to be considered in managing an effective interlock program.

- 1. Missouri Ignition Interlock Installer/Service Center Report.** A monitor completes the vendor oversight checklist during an on-site audit of an interlock service center. The form contains criteria pertaining to the facilities, devices, technicians, and processes.
- 2. Illinois Ignition Interlock Vendor Recertification Form.** The application contains criteria for vendor recertification and lists attendant documents and other requirements necessary to be recertified.
- 3. New York State Uniform Ignition Interlock Monitoring Report.** This form provides an example of the types of client, vehicle, and event data is monitored via an ignition interlock.
- 4. Oklahoma Ignition Interlock Violations Report.** When an offender violates the rules of the interlock program, this document is completed by a service center technician and provided to the interlock program authority.



**IGNITION INTERLOCK INSTALLER/SERVICE CENTER REPORT  
STATE OF MISSOURI**

<b>SERVICING OF IGNITION INTERLOCK DEVICE</b>			
SERVICED BY:	<input type="text"/>	TRAINED BY:	<input type="text"/>
SCHEDULED SERVICE	<input type="text"/>	VIOLATION SERVICE	<input type="text"/>
		CALIBRATION CONFIRMATION TEST Y <input type="checkbox"/> N <input type="checkbox"/>	
RECALIBRATED	Y <input type="checkbox"/> N <input type="checkbox"/>	STALL TEST PERFORMED	Y <input type="checkbox"/> N <input type="checkbox"/>
CHECKED FOR EVIDENCE OF TAMPERING OR CIRCUMVENTION		Y <input type="checkbox"/> N <input type="checkbox"/>	
ALL INFORMATION DOWNLOADED FROM DEVICE		Y <input type="checkbox"/> N <input type="checkbox"/>	
PHOTOS TAKEN FOR EVIDENCE IF TAMPERING OR CIRCUMVENTION FOUND		Y <input type="checkbox"/> N <input type="checkbox"/>	

<b>REMOVAL</b>			
INSTALLER REMOVING DEVICE	<input type="text"/>	TRAINED BY	<input type="text"/>
APPROPRIATE NOTIFICATION FOR REMOVAL MADE		Y <input type="checkbox"/> N <input type="checkbox"/>	
VEHICLE RETURNED TO NORMAL OPERATING CONDITION		Y <input type="checkbox"/> N <input type="checkbox"/>	

<b>MONITOR COMMENTS</b>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

<b>GENERAL INFORMATION</b>			
FOLLOWUP AUDIT NEEDED	DATE OF FOLLOW UP AUDIT	COPY SENT TO Mo. D.O.T.	DATE COPY SENT
Y <input type="checkbox"/> N <input type="checkbox"/>	<input type="text"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	<input type="text"/>
MONITOR	<input type="text"/>	DATE	<input type="text"/>
		COUNTY	<input type="text"/>

<b>APPROVED</b>	
MANUFACTURER CONTACT NEEDED	IF YES, DATE CONTACTED
Y <input type="checkbox"/> N <input type="checkbox"/>	<input type="text"/>

<b>COMMENTS</b>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Mo. D.O.T PROGRAM MANAGER  DATE

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**IGNITION INTERLOCK INSTALLER/SERVICE CENTER REPORT  
STATE OF MISSOURI**

INSTALLATION/SERVICE CENTER		CITY
SERVICE CENTER OPERATOR		PHONE NUMBER
DATE OF VISIT	MONITOR <b>DONALD DEBOARD</b>	OVERALL RATING S <input type="checkbox"/> U <input type="checkbox"/>

<b>DEVICE</b>			
MANUFACTURER			
MODEL NUMBER			
SERIAL NUMBER	HANDSET	CONTROL BOX	

<b>INSTALLATION OF INTERLOCK DEVICE</b>			
NAME OF INSTALLER:		TRAINED BY:	
VEHICLE DESCRIPTION: MAKE	MODEL	YEAR	
UNAUTHORIZED PERSON ALLOWED TO OBSERVE INSTALLATION	Y <input type="checkbox"/>	N <input type="checkbox"/>	
VEHICLE INSPECTION COMPLETED PRIOR TO INSTALLATION	Y <input type="checkbox"/>	N <input type="checkbox"/>	
DEVICE CALIBRATED DURING INSTALLATION	Y <input type="checkbox"/>	N <input type="checkbox"/>	W/B <input type="checkbox"/> D/G <input type="checkbox"/> SET POINT
NAME OF TECHNICIAN WHO CALIBRATED DEVICE			
ALL CONNECTIONS SOLDERED	Y <input type="checkbox"/>	N <input type="checkbox"/>	WARNING LABEL AFFIXED Y <input type="checkbox"/> N <input type="checkbox"/>
CONNECTIONS PLACED IN AN INCONSPICUOUS AREA OF VEHICLE	Y <input type="checkbox"/>	N <input type="checkbox"/>	
ALL PARTS, WIRES & EXPOSED ELECTRICAL CONNECTIONS COVERED WITH TAMPER PROOF TAPE	Y <input type="checkbox"/>	N <input type="checkbox"/>	
NAME OF TECHNICIAN WHO TRAINED CLIENT			
CLIENT GIVEN USER REFERENCE/PROBLEM -SOLVING GUIDE FOR DEVICE	Y <input type="checkbox"/>	N <input type="checkbox"/>	
VIDEO INSTRUCTION AVAILABLE	Y <input type="checkbox"/>	N <input type="checkbox"/>	
CLIENT RECEIVED TRAINING AND COULD PROVIDE BREATH SAMPLE TO START VEHICLE	Y <input type="checkbox"/>	N <input type="checkbox"/>	
TOOLS AND TEST EQUIPMENT ADEQUATE FOR INSTALLING AND REMOVING INSTRUMENTS	Y <input type="checkbox"/>	N <input type="checkbox"/>	

<b>FACILITIES</b>			
FIXED <input type="checkbox"/>	MOBILE <input type="checkbox"/>	IF MOBILE UNIT, LOCATION AT TIME OF VISIT	
SEPARATE WAITING AREA FOR CLIENT	Y <input type="checkbox"/>	N <input type="checkbox"/>	SCHEDULE OF FEES PROVIDED Y <input type="checkbox"/> N <input type="checkbox"/>
ALL PARTS, EQUIPMENT AND MATERIALS SECURED	Y <input type="checkbox"/>	N <input type="checkbox"/>	
24HR TOLL FREE NUMBER PROVIDED	Y <input type="checkbox"/>	N <input type="checkbox"/>	TOLL FREE NUMBER
TOOLS AND TEST EQUIPMENT ADEQUATE FOR SERVICING DEVICES	Y <input type="checkbox"/>	N <input type="checkbox"/>	
EQUIPMENT FOR CALIBRATING	Y <input type="checkbox"/>	N <input type="checkbox"/>	EQUIPMENT FOR DOWNLOADING DATA Y <input type="checkbox"/> N <input type="checkbox"/>
REPLACEMENT DEVICES & PARTS	Y <input type="checkbox"/>	N <input type="checkbox"/>	

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## Recertification Application Requirements | 2013

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The following items must be a part of your reapplication to the IL Secretary of State for approval to operate as a BAIID vendor in 2013.

Application Requirements:

- Name Business
- Address
- Telephone number of applicant

If a business entity other than corporation:

Owner(s) of the entity

- Name
- address

If a corporation:

Person/entity owning 10% or more of shares

- Name(s)
- Address

Applicant who will be providing BAIID services

- Name
- Address
- phone number
- titles of officers, managers, supervisors

BAIID applicant wishes to install which device:

- Name of manufacturer
- Address
- Model
- Has the BAIID been certified by SOS
  - Yes
  - No
- Is the applicant the manufacturer?
  - Yes
  - No (if no) must have proof of right to distribute and install the specific unit
    - Letter on letterhead
    - Copy of a purchase, lease, or rental agreement with manufacturer
- Proof of liability insurance
- Statement agreeing to indemnification and hold harmless provisions: Administrative Code, Title 92, Section 1001.442 (d) (2)
- Listing of all current installation sites
- Copy of Lease agreement
- Copy of fee schedule
- Statement that you have read, understand and agree to uphold rules governing IL BAIID providers
- Supply copy of all training/instruction materials used with offenders to IL SOS
- Signed copy of the Device Specifications Checklist/2013
- Signed copy of the BAIID Provider Specifications/2013
- Please submit a list with contact information of staff this office should contact. It is imperative that we be able to speak to someone at each vendor company when issues arise. It is not acceptable to wait 2 weeks for a call or email in return.

**RECERTIFICATION APPLICATIONS ARE DUE TO THIS OFFICE ON OR BY DECEMBER 1, 2012. NO APPLICATIONS WILL BE ACCEPTED PAST THAT DATE. NO EXCEPTIONS.**

PLEASE MAIL TO: Illinois Secretary of State, BAIID Division, 501 South 2<sup>nd</sup> St., 211 Howlett Building, Springfield, IL 62756

# BAIID Provider Specifications | 2013

Specification	Yes	No
All installations are done in a workman-like manner and are done so in accordance with the standards set forth in the Administrative Code, Title 92, Section 1001.		
All installs will be reported to the IL Secretary of State within 7 days.		
BAIID provider provides a toll free customer service question/complaint hotline that is answered at a minimum, during normal business hours, M-F.		
BAIID provider provides a course of training for the offender on operation, maintenance and safeguards against improper operations and instructs offender to maintain a journal of events surrounding readings/events on the device.		
BAIID provider warns the offenders that removing the device without proper authority from the IL Secretary of State's office could result in extension of their license suspension or cancellation of their permit.		
BAIID provider provides service for malfunctioning or defective BAIID's within a maximum of 48 hours after notification of a request for service.		
All monitor reports are submitted to the IL SOS within 7 days from the date the BAIID is brought in or sent in for monitoring/service.		
BAIID provider reports to the IL SOS within two business days the discovery of any evidence of tampering with or attempts to circumvent a BAIID.		
BAIID provider notifies IL SOS within 48 hours if a change in installation site closes.		
BAIID provider provided a current fee schedule to the IL SOS.		
BAIID provider ensures that all installers have all tools, equipment and manuals needed to install devices and screen motor vehicles for acceptable mechanical and electrical condition prior to installation.		
The installer provides adequate security measure to prevent access to the device (tamper seals). All connections are covered with tamper seals.		
The installer verifies that the device is functioning properly after it has been installed in the vehicle.		
BAIID provider submits monitoring reports in a timely manner?		

I certify that the above information is true and correct for each BAIID distributed in Illinois by (company)\_\_\_\_\_ for the purposes of the Illinois Secretary of State programs.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Sign \_\_\_\_\_ Date: \_\_\_\_\_



## Device Specifications Checklist | 2013

Specification	Yes	No
BAIID does not impede the safe operation of the motor vehicle		
Installation minimizes opportunities to bypass the device		
BAIID performs accurately and reliably under normal conditions		
BAIID prevents auto from starting with the offender has a BrAC of $\geq .025$		
BAIID requires running retests within first 5 to 15 minutes after starting the vehicle.		
BAIID requires two running retests per hour, randomly and without exceeding 45 minutes since initial running retest.		
BAIID set to blow horn if a running retest is refused.		
BAIID set to blow horn if the BrAC reading from a running retest is .05 or more.		
BAIID set to blow horn if tampering or circumvention attempts are detected.		
BAIID set to permanently lockout 5 days after it gives service or inspection notice if service/recalibration is not completed.		
BAIID gives service/inspection notice every instance in which the device registers 3 BrAC readings of .05 or more within 30 min. period.		
BAIID gives service/inspection notice in tampering or circumvention attempts are detected.		
BAIID gives service/inspection notice after correct length of time (RDP – first 30 days, 60 days thereafter) (MDDP—every 60 days, once a violation is determined by Secretary’s office, then time frame is 30 days).		
BAIID gives service/inspection notice for MDDP offenders who have 5 violation detections in 60 day period.		
BAIID gives 24 hour lockout anytime it registers 3 BrAC readings of .05 or more within a 30 min. period.		
BAIID uses, as anti-circumvention method, either positive-negative-positive airflow or mid-test humtone.		
BAIID records all events that occur.		
BAIID is recalibrated accurately each time it is brought or sent in for monitoring or inspection.		

I certify that the above information is true and correct for each BAIID distributed in Illinois by (company) \_\_\_\_\_ for the purposes of the Illinois Secretary of State programs.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Sign \_\_\_\_\_ Date: \_\_\_\_\_

**County Monitors' Report of Ignition Interlock Device Sentencing Orders Received and Installation Status**

**Revised Instructions as of February 17, 2012**

This electronic version of the "County Monitors' Report of Ignition Interlock Device Sentencing Orders Received and Installation Status" (file name "IID Quarterly Form5 – September 7, 2011") is the current version to be used by all monitors. Because the data will be matched with other databases for analysis and research purposes it is preferred that these reports be submitted in a spreadsheet file format such as Microsoft Excel. We also ask that you please submit the reports with the offenders sorted alphabetically. These instructions were revised to clearly distinguish IID devices ordered by the court from those actually installed.

This form is formatted for 24 cases. However, it can be expanded by inserting more rows anywhere after the row for operator #1, but before the row for operator #24. The spreadsheet must be unlocked or unprotected (there is no password) to do so.

For counties that are reporting for more than one monitoring agency (for example, the Probation Department also reporting for District Attorney's Office, STOP DWI, Sheriff, or Counseling, etc.), please indicate at the top of the spreadsheet that the report includes both agencies.

An electronic copy of the report should be sent to [dcisopcalidreports@dcjs.ny.gov](mailto:dcisopcalidreports@dcjs.ny.gov). A hard copy of the signed report including vouchers and signed fiscal cost reports must be sent to the DCJS' Finance Office on the 10<sup>th</sup> floor at 4 Tower Place, Albany NY 12203 within 30 days of the close of each quarter. If either OPCA or the Finance Office does not receive their respective documentation, a payment hold may be placed on your contract until your county's reports are received.

<b>Heading Information</b>	
<b>County</b>	The county name for which the report is being filed.
<b>Agency Reporting</b>	The monitoring authority or authorities submitting the Quarterly Report. It is acceptable for counties with separate probation and conditional discharge monitors to report on the same form, but the names of both agencies must appear in this instance.
<b>Contract #</b>	The DCJS Contract Number to which the information provided applies.
<b>Quarter/Year</b>	Check the box for the quarter for which this information is submitted and fill in the year.
<b>Operator Information for all Orders Received</b>	
<b>Last Name, First Name, MI, DOB, NYSID, Driver's License #, Sentence Date</b>	Enter the operator's last name, first name, middle initial, DOB, NYSID (if available), and sentence date for cases where a court <u>ordered</u> the installation of an Ignition Interlock Device regardless of whether it was actually installed. Repeat operators information using a separate line on the form for each vehicle the court orders the installation of an ignition interlock device.
<b>Court Ordered Device Information</b>	
<b># Full Pay Ordered</b>	The number of devices for which the court <u>ordered</u> the operator to pay all IID fees regardless of whether it was actually installed. No need to zero-fill.
<b># Payment Plan Ordered</b>	The number of devices for which the court <u>ordered</u> the operator to pay a portion of the IID fees regardless of whether it was actually installed. No need to zero-fill.
<b># Cost Waived Ordered</b>	The number of devices for which the court <u>ordered</u> that IID fees be waived by the manufacturer regardless of whether it was actually installed. No need to zero-fill.
<b>Installation Information</b>	
<b>IID Installed</b>	Enter 1 (one) if the device was actually installed or enter 0 (zero) if it was not actually installed.
<b>IID Class</b>	Enter 1 if a class 1 device was installed. Enter 2 if a Class 2 device was installed. Enter 3 if a Class 3 device was installed.
<b>Quarterly Total Orders</b>	Enter the total number of orders received during the quarter. If more than one page is submitted for the quarter, please sum the sub-totals of each page and insert the grand total in this space on the first page of the Quarterly Report.
<b>Installation Summary by Class</b>	Sum the number of Class 1, Class 2 and Class 3 devices <u>actually</u> installed and fill in the respective blanks.



# OKLAHOMA IGNITION INTERLOCK VIOLATION REPORT

## PARTICIPANT INFORMATION

Name \_\_\_\_\_ Date of birth \_\_\_\_\_ Case number \_\_\_\_\_

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

( ) \_\_\_\_\_ ( ) \_\_\_\_\_  
Home telephone Other telephone DL state DL number

## REPORTING PARTY INFORMATION

Name \_\_\_\_\_ Telephone ( ) \_\_\_\_\_ E-mail address \_\_\_\_\_

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

## MONITOR INFORMATION

Name \_\_\_\_\_ Telephone ( ) \_\_\_\_\_ Fax number ( ) \_\_\_\_\_

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

## VIOLATION INFORMATION

- Three penalty fails, at startup, within a fifteen (15) minute time frame *O.A.C. 40:50-1-3.2(a)(1)*  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ BrAC: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ BrAC: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ BrAC: \_\_\_\_\_
- Illegal start *O.A.C. 40:50-1-3.2(a)(2)* Date: \_\_\_\_\_ Time: \_\_\_\_\_
- Retest violation(s) *O.A.C. 40:50-1-3.2(a)(3)*  
 First retest violation Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Second retest violation Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Third retest violation Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Additional retest violation Date: \_\_\_\_\_ Time: \_\_\_\_\_
- Device removal *O.A.C. 40:50-1-3.2(a)(4)* Date: \_\_\_\_\_
- Tampering *O.A.C. 40:50-1-3.2(a)(5)* (Describe below)

Comments:

