



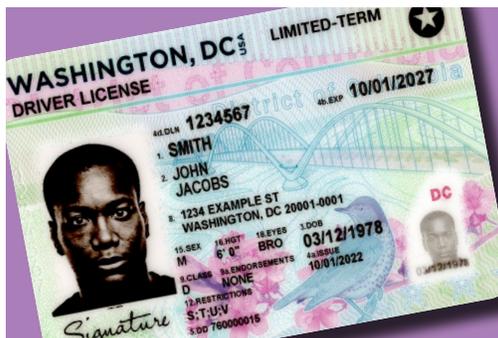
American Association of Motor Vehicle Administrators

Ignition Interlock  
*RECIPROCITY*  
Legislation Law  
Enforcement  
MVA Program Training  
Standardization



# Ignition Interlock Program Best Practices Guide

*Edition 3*



October 2023

LAW ENFORCEMENT STANDING COMMITTEE & DRIVER STANDING COMMITTEE  
IGNITION INTERLOCK PROGRAM BEST PRACTICES WORKING GROUP

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# Executive Summary

With more than 10,000 people a year dying in alcohol-related crashes in the United States (13,384 in 2021, representing a 14% increase over 2020) and approximately 400 more in Canada each year, there is still considerable work to be done to eradicate impaired driving. Ignition interlock devices reduce recidivism<sup>1</sup> and alcohol-related crashes while installed. The desired outcome of preventing alcohol-related crashes while ignition interlocks are installed can be assisted by having an ignition interlock program that follows the recommended best practices in this document.

Every U.S. jurisdiction has an ignition interlock law of some kind. However, there is no “model program” or national strategy that addresses every component of an ignition interlock program. One of the primary challenges is the lack of compliance enforcement. This is due in part to the absence of a uniform restriction and reciprocal agreements across jurisdictions and in part to the lack of familiarity by law enforcement officers about ignition interlock devices and program requirements at the time of a traffic stop. To address these issues, this document offers a useful model for reciprocal agreements of the ignition interlock requirement by jurisdictions. The American Association of Motor Vehicle Administrators (AAMVA) also has a law enforcement training video to educate officers on how to interact with ignition interlock equipped vehicles and their drivers at roadside.

<sup>1</sup> United States Government Accountability Office. (2014). Report 14-559.

*The 2023 Ignition Interlock Program Best Practices Guide includes three significant new chapters: Chapter Three: Regulatory Standards; Chapter Six: Ignition Interlock Device Program Administration; and Chapter Eight: Basics for Law Enforcement Roadside Ignition Interlock Interaction.*

The 2023 Working Group, composed of former and new Working Group members, convened to update and enhance the 2018 document and formulate recommendations to solve jurisdictional reciprocity challenges. Toward that end, model legislation was updated, and AAMVA system enhancements are recommended.

In addition, the *2023 Ignition Interlock Program Best Practices Guide* includes three significant new chapters:

- Chapter Three: Regulatory Standards
- Chapter Six: Ignition Interlock Device Program Administration
- Chapter Eight: Basics for Law Enforcement Roadside Ignition Interlock Interaction

Throughout this document, the terms “offender” and “participant” are used interchangeably, depending on the context, and the word “jurisdiction” is used to describe states, provinces, and territories of the United States and Canada.

# Chapter One

## Breath Alcohol Ignition Interlock Device History and Background

### History

Interest in technology that would prevent an impaired driver from operating a vehicle date back to the 1960s. In 1972, the first successful demonstration of the breath alcohol ignition interlock device (IID) took place. However, it was not until the human toll caused by impaired drivers created a public outcry and a demand for solutions that ignition interlock devices started to gain traction in the 1980s.

The United States' first ignition interlock program was in Colorado in 1985. In 1987, the National Highway Traffic Safety Administration (NHTSA) hosted a public meeting about ignition interlock devices. This meeting focused on the latest technology updates with the devices while also serving to share information across jurisdictions. The meeting focused on what states were doing legislatively to authorize new programs, how effectiveness was being evaluated, and how current programs were being implemented. According to a 1988 NHTSA Report to Congress, there were 120 judges in 12 states authorizing the use of ignition interlock devices at that time.

In Canada, IIDs were first introduced in 1990 in Alberta. The first device standard was produced by the Alberta Research Council, Electronics Test Centre in 1992 and was a Canada-wide de facto standard until the Transport Canada/National Research Council National Voluntary Standard was issued in 2007. The Canadian Standards Association (CSA) now manages the Canadian standard, CAN/CSA-Z627-16, which was approved in 2017 and revised in 2018.

Recommended standards for devices in the United States were initially developed in California in 1988. These served as the industry standard until NHTSA

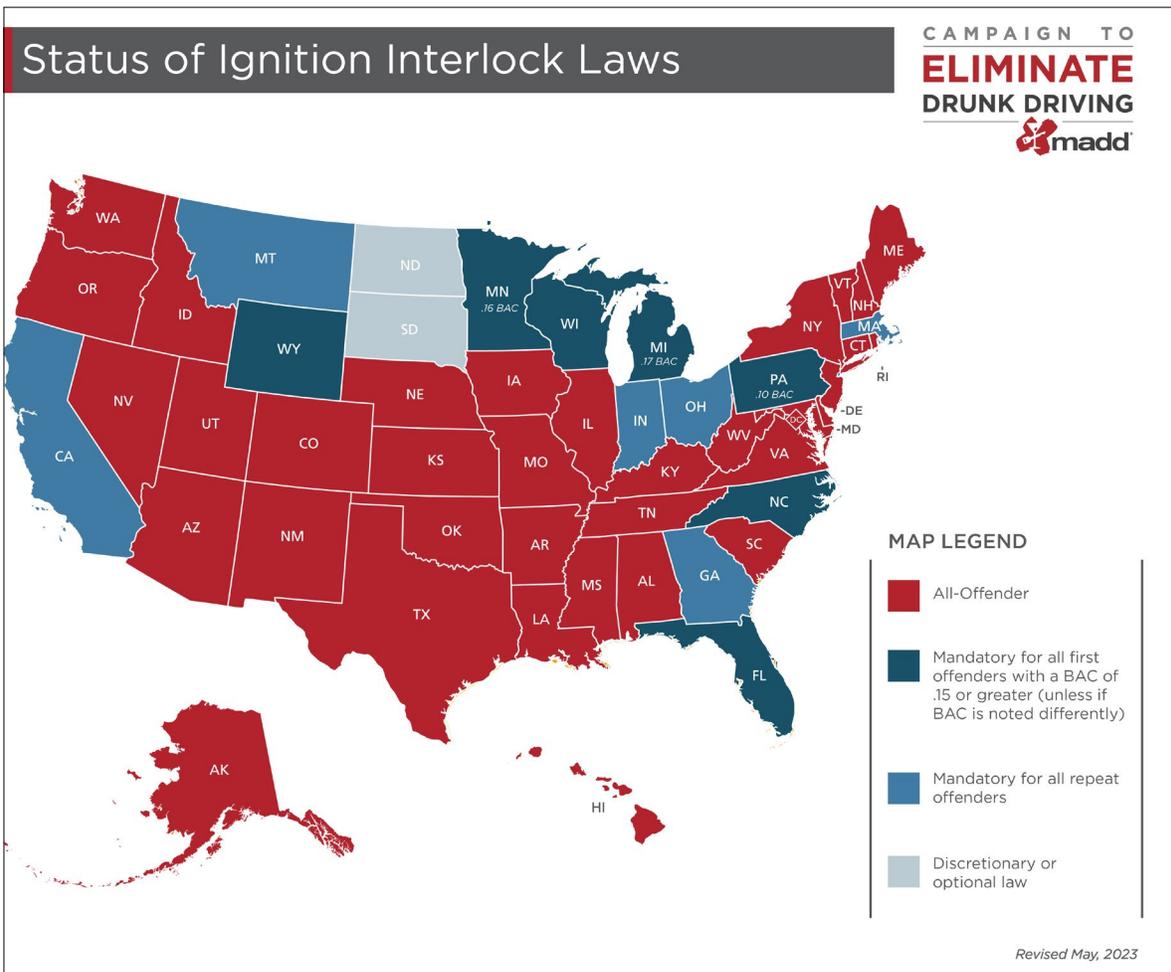
released its own model specifications in 1992. NHTSA updated them in 2013 to provide for alcohol-specific technology that has reduced the number of false positives and tightened circumvention efforts. The 2013 standard now also includes 2015 technical corrections. The United States and Canadian IID specifications are similar.

Fueled by legislative language passed by Congress in 1998 that provided states with financial incentives for passing laws requiring ignition interlock devices for repeat offenders, the devices became more widespread.

All 50 states, the District of Columbia, most Canadian provinces, and many other countries have some form of ignition interlock legislation that requires or allows a device as a condition of continued driving after a conviction or license suspension for driving under the influence (DUI).

In November 2021, the Infrastructure Investment and Jobs Act was signed into law authorizing \$1.2 trillion that includes federal transportation funding for fiscal years 2022 through 2026 (Pub. L. No. 117-58). This law builds on its predecessor authorization, the Fixing America's Surface Transportation Act (Pub. L. No. 114-94) of 2015. The legislation modified the national highway infrastructure and safety agenda and includes provisions that would directly impact AAMVA members in terms of ignition interlock devices, including:

- A grant program to states that have adopted or are enforcing a law that restricts DUI offenders to only operate vehicles equipped with an ignition interlock device for a minimum of 180 days or mandated participation in a 24/7 sobriety program if a state-certified ignition interlock



provider is not available within 100 miles of the individual’s residence

- Allows states to qualify for ignition interlock funding if its ignition interlock program includes medical, rural, or employer exemptions. Previously, these exemptions disqualified states from funding.
- Minimum penalties for repeat DUI offenders to receive, for 1 year, one or more of the following penalties: a suspension of all driving privileges, a restriction to operate only ignition interlock–equipped motor vehicles, or participation in a 24/7 sobriety program if an ignition interlock provider is not within 100 miles

## Background

A May 2016 study by the University of Pennsylvania<sup>2</sup> found that states that require all convicted alcohol-impaired drivers to use an ignition interlock device reduced DUI deaths by 15% after enacting the law. This decrease in deaths is similar as the number of lives saved by mandatory airbag laws.

The below table depicts attempted drinking driving events IIDs have stopped from 2006 to 2022<sup>3</sup>.

2006–2022 0.02 (OR HIGHER) EVENTS STOPPED	2006–2022 0.08 (OR HIGHER) EVENTS STOPPED
30.77 million	4.57 million

2 Kaufman, E. J., & Wiebe, D. J. (2016). Impact of state ignition interlock laws on alcohol-involved crash deaths in the United States. *American Journal of Public Health, 106*(5), 865–871.

3 MADD (2022). State Law Overview Report, 64 – 67.

A 2018 study by the Insurance Institute for Highway Safety found that state laws requiring ignition interlock device use for all alcohol-impaired driving offenders reduced drunk driving crash fatalities by 16%. This study adds to a compelling body of evidence that ignition interlock devices are among the most effective drunk driving countermeasures available. Required ignition interlock device use can deter both initial alcohol-impaired driving offenses and recidivism. While in use, ignition interlock devices also allow participants to remain mobile so they can get needed support and treatment, maintain employment, and care for family members.

A 2018 study by the Insurance Institute for Highway Safety found that state laws requiring ignition interlock device use for all alcohol-impaired driving offenders reduced drunk driving crash fatalities by 16%.

A 2023 [research study](#) by the Governors Highway Safety Association (GHSA) finds that state laws dictating when ignition interlock devices may be removed from drunk driving offenders' vehicles can help reduce repeat offenses.

extenuation in a progressive system of punishment, and courts may view those caught for the first time:

- not as problem drinkers (alcohol dependent or alcohol abuser),
- generally law abiding, or
- social drinkers.

However, empirical evidence suggests that these assumptions are inaccurate and may be influenced by the “first offender” terminology. In a court-ordered 2-day clinical evaluation of 1,252 first offenders conducted by three different alcohol treatment agencies, 1,032 of 1,252 offenders (82%) were assessed as alcoholics or problem drinkers, and only 221 (18%) were assessed as social drinkers.<sup>6</sup> The concept of a first-time offender, regardless of the type of crime, is that the defendant made a mistake or had a moment of indiscretion. This allows for “first offenders” to be granted lesser sentences or probation and not be assigned to an ignition interlock program because they might be viewed as being a lesser risk.

### First-Time Offenders Closely Resemble Multiple Offenders

In a review of more than 100 million driver records spanning 25 years, it was found that drivers who had:

One alcohol offense	6 times more likely to reoffend than drivers with no alcohol offenses
Two offenses	10 times more likely to have an additional alcohol offense compared with drivers with no alcohol offenses
Three or more offenses	15 times greater chance of having an additional offense than drivers with no alcohol offenses

The review indicates that a first offense is a useful marker of past high-risk behavior. Therefore, first offenders should not be viewed differently than multiple offenders.<sup>7[1]</sup>

6 Kramer, A. L. (1986). Sentencing the drunk driver: A call for change. *Alcoholism Treatment Quarterly*, 3(2), 25–35.

7 [1] Rauch, W., Zador, P., Ahlin, E., Howard, J., Frissell, K., & Duncan, G. (2010). Risk of alcohol impaired driving recidivism among first offenders and multiple offenders. *Journal of Public Health*, 100(5), 919–924.

*A 2018 study by the Insurance Institute for Highway Safety found that state laws requiring ignition interlock device use for all alcohol-impaired driving offenders reduced drunk driving crash fatalities by 16%.*

### The First Offender Myth

A person can drive more than 80 times while under the influence of alcohol or drugs without being arrested and charged.<sup>4</sup> In short, the term “first offender” is a misnomer and would be more accurately stated as “first time caught.”<sup>5</sup> Why is this a concern? The judiciary process allows a judge to consider

4 Centers for Disease Control and Prevention. Incidence data: Alcohol-Impaired Driving Among Adults—United States, 2012.

5 Ahlin, E., Zador, P., Rauch, W., Howard, J., & Duncan, G. (2011). First time DWI offenders are at risk of recidivating regardless of sanctions imposed. *Journal of Criminal Justice*, 39(2), 137–142.

**AAMVA Best Practice Recommendation 1.1.** All-offender IID requirement. Jurisdictions that do not have an all-offender ignition interlock requirement should consider pursuing one through the legislative process (see Appendix D for model enabling legislation).

## Commercial Licenses and Ignition Interlock

Commercial driver license (CDL) holders in the United States who operate a vehicle (commercial or personal) while under the influence of alcohol and/or other drugs are subject to additional requirements as provided by federal regulation (49 CFR 383.51, Table 1). These requirements are the same, regardless of jurisdiction where the offense occurred. A first impaired driving offense carries a mandatory disqualification of CDL privilege for no less than 1 year. A second impaired driving offense (or any major offense detailed in the CFR Table 1) requires a lifetime CDL disqualification. (Some states allow reapplication under certain circumstances after 1 year.) The CDL holder may be eligible for a restricted driver license requiring an ignition interlock device, but this only applies to noncommercial vehicles. There is no option or alternative for an ignition interlock restriction for CDL holders with a DUI conviction to operate a commercial motor vehicle.

## Masking

Title 49 of the Code of Federal Regulations also includes §384.226, which creates a prohibition on masking convictions. This rule and others were promulgated by the Federal Motor Carrier Safety Administration (FMCSA) to help support the one driver, one record policy and the accurate reflection of driver behavior on the CDL driver history. Each state has adopted these Federal Motor Carrier Safety Regulations with specific statutory language or by reference. Per the federal regulation, CDL and commercial learners permit (CLP) holders are subject to mandated minimum sanctions for certain offenses,

and the sanctions can increase upon second or subsequent offenses.

Masking of convictions means failing to include all convictions “for any violation, in any type of motor vehicle” of a “traffic control law” from appearing on the Commercial Driver License Information System (CDLIS) driver record no matter the state the driver was licensed or committed the offense. Traffic control laws cover a broad variety of offenses as detailed in 49 CFR §383.51, Tables 1 to 4. Some of these offenses include driving offenses, including speeding, reckless driving, leaving the scene of an accident, or even impaired driving. However, any felony in which a vehicle is used can carry mandatory loss of CDL privileges, with felony drug sale or distribution in any vehicle or human trafficking in a commercial motor vehicle carrying lifetime CDL loss.

It is important to keep in mind that conviction, as defined in the federal regulations (for instance, 49 CFR §390.5) is broader than the traditional use of term. The term “conviction” can include any admission or finding of guilt or responsibility. It also can include the payment of any fees or fines as well as a bail or bond forfeiture. CDL and CLP holders are also generally not to be included in any programs allowing deferral of imposition of judgment or diversion. Federal regulations further require the timely reporting of all CDL violations. The FMCSA works with states to assess compliance with regulations. Noncompliance can impact federal highway funds being received by a state. It is also possible for a state to become decertified, which will affect its ability to issue CDLs.

## Alcohol-Related Events (Occurrences)

Many jurisdictions offer programs for alcohol offenses which offer offenders reductions in charges or use diversionary options such as probation before judgment or deferred sentencing.

Motor vehicle administrations (MVAs) should consider using all alcohol-impaired driving events,

not just convictions, on the driver record as markers of recidivism risk and higher risk behavior. MVAs are discouraged from purging any alcohol events from a driver record because the complete history of a driver's record is vital in the administrative process in assigning a driver to an ignition interlock program. This practice may eliminate or hide a first offender's extensive history of alcohol-impaired driving.

Having a first alcohol-related event, alone, is a powerful statistical risk factor of future alcohol-related recidivism.<sup>8</sup> Having even one prior alcohol-related event substantially and significantly increases the risk of a subsequent alcohol-related event, regardless of the way in which the event was handled (administratively, judicially, or through a diversion program).

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<sup>8</sup> Ahlin, E., Zador, P., Rauch, W., Howard, J., & Duncan, G. (2011). First time DWI offenders are at risk of recidivating regardless of sanctions imposed. *Journal of Criminal Justice*, 39(2), 137-142.

## Chapter Two Ignition Interlock Program Types

There are generally three types of ignition interlock programs: administrative, judicial, and hybrid. Under an *administrative* program, a jurisdiction licensing authority or similar agency requires the installation of an ignition interlock device. Under a *judicial* program, courts mandate an interlock device for participants. A *hybrid* program is one that has a combination of administrative and judicial requirements. There are several differences between administrative interlock programs managed by the licensing authority and judicial programs managed by the courts. The major differences with respect to interlock device implementation and monitoring follow.

- Administrative (or license-based) programs. License-based programs are administered by the MVA. The MVA requires the offender to install an IID in their vehicle as a condition of license reinstatement or in lieu of license suspension or revocation.
- Judicial programs. The courts have authority to mandate an IID for offenders (may require interlock use pre-trial or post-conviction) and may require offender participation in treatment programs.
- Hybrid programs. These programs use a mix of responsible entities requiring coordination between the administrative and judicial authorities.

### Administrative Ignition Interlock Programs

*Administrative* programs managed by MVA agencies are centralized and can be extended easily to all eligible participants, and the programs are administered consistently throughout the jurisdiction when

implemented promptly. In some jurisdictions, an administrative program can result in a license being withheld. The MVA can also monitor ignition interlock device usage and can impose sanctions, substance abuse treatment, and other conditions. In addition, administrative programs that order the installation of interlock devices may manage administrative appeal hearings.

*Administrative* programs are appealing, at least in part, because they eliminate the challenge created when ignition interlocks can be ordered by any one of hundreds of court systems. The number of courts and the independence of the judiciary render application and communication on a large scale difficult in achieving common practice. Administrative programs should:

- Require uniformity
- Include limited discretion
- Not require conviction
- Be holistic (from device installation to treatment)

As in all types of ignition interlock programs, the participant must be motivated to regain full driving privileges.

### Judicial Ignition Interlock Programs

*Judicial* programs use the powers and resources of the court to ensure program compliance. They have the capacity to identify potential underlying addictions of ignition interlock program participants through evidence-based DUI screenings, assessment, and appropriate treatment, in addition to reporting

requirements to the MVA. Courts have a wide variety of sanctions that they can impose. This ability to provide a flexible response can be a public safety benefit. Sanctions can be used to address noncompliance. The potential for jail, fines, and community service are only a few of the sanctions that courts can typically make use of in their discretion.

In *judicial* programs, the varying circumstances allowed in sentencing based on the judges' discretion to consider extenuation and mitigation make it difficult to provide consistent imposition of sanctions.

Statutes creating judicial ignition interlock programs should include training programs for judges and their staffs. MAs, highway safety offices, and law enforcement should have a role in the training.

Problem-solving courts, such as DUI courts, are specialized dockets within existing courts dealing exclusively with DUI cases, especially repeat DUI cases. When these courts are used, ignition interlock devices should be used as an accountability tool.

### **Hybrid Ignition Interlock Programs**

The success of an interlock program depends on the active participation and full support of a range of agencies within each jurisdiction. In particular, hybrid interlock programs are characterized as programs that combine features of both administrative and judicial programs, which necessitates a great deal of coordination among the various administrative and judicial operations.

## Chapter Three Regulatory Standards

Having regulatory standards is critical to a successful ignition interlock program. The AAMVA Ignition Interlock Working Group created model regulations for jurisdictions to use when establishing program regulations or to use as a benchmark when updating current regulations. Legislation or administrative regulations should designate an agency as the administering authority of the jurisdiction's ignition interlock program.

### Model Ignition Interlock Program Regulations

#### *Ignition interlock device; certification and standards*

- (a) Each manufacturer of an ignition interlock device wanting to deploy the device in (insert jurisdiction) shall apply to the department for certification of the device and submit the following information and equipment:
  - (1) the name and address of the manufacturer.
  - (2) the name and model number of the device.
  - (3) certification that the device.
    - (A) permits operation of the vehicle in which it is installed, works reliably and accurately in an unsupervised environment and, when in fail-safe, prevents the vehicle from starting.
    - (B) offers protection against tampering and provides anti-circumvention features.
    - (C) allows for a restart of the vehicle's ignition within 2 minutes after the ignition has been turned off without requiring another breath test if the driver has not registered a breath

*The AAMVA Ignition Interlock Working Group created model regulations for jurisdictions to use when establishing program regulations or to use as a benchmark when updating current regulations.*

- alcohol content (BrAC) fail or is not in the process of completing a retest.
- (D) allows for a rolling retest after the vehicle has been in operation.
- (E) disables the ignition system if the BrAC of the person using the device equals or exceeds the alcohol set-point of 0.020.
- (F) records each time the vehicle is started, the duration of the vehicle's operation, and any instances of tampering.
- (G) records the corresponding time and date any breath sample was provided, a digital image of the individual who provided the sample, and the BrAC of the individual who provided the breath sample into the device.
- (H) displays to the driver all the following:
  - (i) when the device is on.
  - (ii) when the device has enabled the ignition system.
  - (iii) the date on which a lockout will occur.

- (4) a map and list of service providers and the address where the device can be obtained, repaired, replaced, or serviced 24 hours a day by calling a toll-free phone number.
- (5) the name of any insurance carrier authorized to do business in (insert jurisdiction) that has committed to issue a liability insurance policy for the manufacturer.
- (6) the name and address of the representative designated by the manufacturer to manage the manufacturer's statewide operations.
- (7) no fewer than two ignition interlock devices for testing and review to the department upon the (insert agency/jurisdiction)'s request.
- (8) a declaration on a form prescribed by the department that requires the following:
  - (A) the manufacturer, manufacturer's representative, and the manufacturer's service providers shall cooperate with the department, law enforcement, and court staff at all times, including the production and inspection of the manufacturer's installation, service, repair, calibration, use, removal, or performance records of each ignition interlock device.
  - (B) all digital images and the associated data shall be retained until the digital images and associated data are downloaded and stored by a manufacturer. The manufacturer shall store the downloaded digital images and associated data for 3 years after capture by the device.
  - (C) the manufacturer shall make available all ignition interlock device data, reports, and information related to the ignition interlock device to the department, upon the (insert agency information) request, in an approved electronic format.
  - (D) the manufacturer shall provide the alcohol reference value and type of calibration device used to check the ignition interlock device.
  - (E) the manufacturer shall provide the department with inquiry access to the manufacturer's ignition interlock device system management software for the management of participant information.
  - (F) the manufacturer or the manufacturer's representative shall provide a map of (insert jurisdiction) showing the area covered by each service provider's certified fixed site.
- (b) Each certification issued by the department shall continue in effect for 3 years unless either of the following occurs:
  - (1) the manufacturer requests in writing that the certification be discontinued.
  - (2) the department informs the manufacturer via the manufacturer's representative in writing that the certification is suspended or revoked.
- (c) If a manufacturer modifies a certified device, the manufacturer shall notify the department of the exact nature of the modification prior to deployment. A device may be required by the department to be recertified at any time. Modification shall mean a material change affecting the functionality, installation, communication, precision, or accuracy of a certified device.

- (d) Within 10 calendar days, the manufacturer of a certified device shall notify the department of the failure of any device to function as designed. The manufacturer and the manufacturer's representative shall provide an explanation for the failure and shall identify the actions taken by the manufacturer or the manufacturer's representative to correct the failure(s).
- (e) The manufacturer's device shall meet or exceed the model specifications for ignition interlock devices, as specified by the National Highway Traffic Safety Administration, and demonstrated by certification documentation provided from an independent testing laboratory.
- (f) Each manufacturer of a certified device shall submit a report to the department on or before January 31 of each year with the following information for the previous calendar year's activities:
  - (1) the number of ignition interlock devices initially installed on vehicles for (insert jurisdiction) drivers who were restricted to driving only with an ignition interlock device.
  - (2) the number of vehicles that had devices removed due to a failure malfunction or defect in the device and, for each vehicle, the driver's name, the driver's license number, the specific failure or operational problem that occurred during the period installed, and the resolution of each situation.
  - (3) the total number of devices in operation in (insert jurisdiction) on December 31 of the previous calendar year.
  - (4) the total number of devices removed.
  - (5) the total number of circumventions detected.
  - (6) the total number of instances of tampering detected.
- (7) an annual report to the (insert jurisdiction) including the number of applicants that were provided devices and the total discounted amounts due to the reduced program costs.
- (g) Each manufacturer shall provide to the department, on or before January 31 of each year, documentation indicating the prices and fees charged to a driver that are associated with the manufacturer's (insert jurisdiction) installation of devices. If the documentation regarding prices and fees charged changes during that calendar year, the manufacturer and manufacturer's representative shall provide amended documentation to the department within seven calendar days of the change.
- (h) Each manufacturer shall have a service provider within 100-miles of any location within a jurisdiction.
  - (1) Each device shall be capable of uniquely identifying and recording all the following:
    - (A) each time a vehicle start is attempted.
    - (B) each time the vehicle is started.
    - (C) a digital image in accordance with the following:
      - (i) the digital image can identify the individual providing the breath sample in all lighting conditions.
      - (ii) the capture of the digital image does not distract or impede the driver in any manner from the safe and legal operation of the vehicle.
      - (iii) the digital image is associated with the date, the time, and the individual's BrAC for each test request.

- (iv) the results of all tests, retests, or failures as being a malfunction of the device or a result of the driver not meeting the requirements.
  - (v) the length of time the vehicle was operated.
  - (vi) any indication of tampering.
- (i) The features required of the manufacturer's installed device shall be enabled to capture the information required by this subsection.
  - (j) The requirements of this regulation shall take effect for all device installations in accordance with the jurisdiction's rule making process 90 days after publication of this regulation. Each manufacturer shall replace any currently installed device that does not meet the requirements of this regulation with a device that is compliant upon the first calibration following the date this regulation takes effect.

### *Insurance and policy limits*

- (a) Each manufacturer applying for certification of an ignition interlock device shall obtain a policy of product liability insurance from a carrier authorized to do business in the jurisdiction (insert jurisdiction). The insurance policy shall contain minimum liability limits of \$1,000,000 per occurrence with an aggregate coverage of \$3,000,000. The insurance policy shall cover all liability arising from defects in design and materials, including the manufacture of the device and its calibration, maintenance, installation, and removal.
- (b) Each insurance carrier shall provide 30-day notice to the department before canceling any insurance policy.
- (c) The cancelation of insurance coverage by a carrier shall be a basis for revoking the certification for the device.

### *Installation, inspection, and calibration standards*

- (a) Each ignition interlock device installed at the direction of the department shall be done at the driver's own expense, except as otherwise allowed.
- (b) A manufacturer shall ensure that each service provider meets the following requirements:
  - (1) install each device in accordance with the manufacturer's instructions. Each service provider shall, within 24-hours of installation, inform the department each time a device has been installed in a manner as prescribed by the jurisdiction.
  - (2) set each device so that if the driver fails the initial ignition interlock device test, a retest must be attempted within 5 minutes.
  - (3) set each device so that a retest will be required of the driver within 15 minutes of starting the vehicle. Subsequent retests shall occur as described in *Ignition interlock device definitions*.
  - (4) calibrate each device at least every 30 days at the participant's expense and maintain an inspection and calibration record with the following information:
    - (A) the name of the person performing the calibration.
    - (B) the date of the inspection and calibration.
    - (C) the method by which the calibration was performed.
    - (D) the name and model number of the device calibrated.
    - (E) a description of the vehicle in which the device is installed, including the license plate number, make, model, year, and color.

- (F) a statement by the service provider indicating whether there is any evidence of circumvention or tampering and describing the circumvention or tampering observed.
- (5) set each device so that a lockout occurs within 5-business days of any of the following events:
- (A) the 30-day calibration and service requirement has been reached.
  - (B) five or more violations are recorded.
  - (C) the emergency bypass procedure has been used.
  - (D) a hardware failure or evidence of tampering is recorded.
  - (E) the events log has exceeded 90 percent of capacity.
- (c) Each driver restricted to driving a vehicle equipped with an ignition interlock device shall keep a copy of the inspection and calibration records in the vehicle at all times. The manufacturer shall retain the original record for each current driver for 1 year after the device is removed. The manufacturer shall notify the department within 7 days after a device has been serviced due to a lockout that occurred for any of the reasons specified in paragraph (b)(6)(D).
- (d) The service provider shall enable each device's anticircumvention features when installing a device and keep the features enabled during the ignition interlock device period. Within 24 hours of download, a service provider shall notify the department of any evidence of tampering or circumvention. The evidence shall be preserved by the manufacturer or the manufacturer's representative until otherwise notified by the (insert state agency information).
- (e) The (insert jurisdiction agency information) or its designee may conduct independent checks on any of the approved ignition interlock devices to determine whether the devices are operating in a manner consistent with the manufacturer's specifications, manufacturer's certifications, or these regulations. The department may require the manufacturer or the manufacturer's representative to correct any abnormality found in the installation, calibration, maintenance checks, or usage records of the device. The manufacturer and the manufacturer's representative shall report in writing to the department within 30 days after receiving notification of any abnormality.
- (f) Each manufacturer shall ensure that its service providers meet the following requirements:
- (1) follow certified manufacturer's standards and specifications for service associated with the manufacturer's state-approved ignition interlock device.
  - (2) have the skills, equipment, and facilities necessary to comply with all the certification and operational requirements specified by the jurisdiction.
  - (3) comply with any department's reporting requirements.
  - (4) have a fixed site approved by the jurisdiction to provide each driver with access to an enclosed building that is open for business and has a separate waiting area.
- (g) Each manufacturer shall provide the department with written evidence of identifying the manufacturer's statewide network of service providers within 7 business days of a request by the (insert agency information). Written evidence shall include lease and ownership documents associated with each manufacturer's service providers in the required jurisdiction.

- (h) A manufacturer, manufacturer's representative, or service provider is prohibited from requiring or compelling any driver to travel outside the jurisdiction to receive services.

#### *Revocation of certification; penalties*

- (a) A certification for any ignition interlock manufacturer may be revoked for any of the following reasons (this list is not intended to be all inclusive):
  - (1) The device fails to comply with specifications or requirements provided by the (insert agency information).
  - (2) The manufacturer, the manufacturer's representative, or the manufacturer's service provider has failed to make adequate provisions for the service of the device.
  - (3) The manufacturer has failed to provide statewide service network coverage or 24-hour, 7-day service support.
  - (4) The manufacturer is no longer in the business of manufacturing ignition interlock devices.
  - (5) The manufacturer or the manufacturer's representative fails to comply with the reporting and testing requirements.
  - (6) The manufacturer, the manufacturer's representative, or the manufacturer's service provider fails to comply with *Security; tampering prohibitions; conflict of interest (as defined by jurisdiction)*.
  - (7) The manufacturer, the manufacturer's representative, or the manufacturer's service provider fails to ensure clients are aware that an affordability program may be available to them.
  - (8) The manufacturer, the manufacturer's representative, or the manufacturer's service provider fails to have a fixed location within

100-miles away from any location within the jurisdiction.

- (9) The manufacturer, the manufacturer's representative, or the manufacturer's service provider compels a driver to travel out of state to receive services, in violation of *Installation, inspection, and calibration standards (h)*.

- (10) Any breach of contract (if in place).

- (b) Each manufacturer's device certification shall be subject to suspension, revocation, nonrenewal, or cancellation if the (insert agency information) determines that the manufacturer or its representatives have violated any requirement in this article.

#### *Service provider; relocation and replacement*

- (a) Each manufacturer and manufacturer's representative shall be responsible for providing uninterrupted service of the manufacturer's installed devices at all times. If a service provider is moving or going out of business, the manufacturer or the manufacturer's representative shall indicate to the department whether the manufacturer will replace the service provider. The manufacturer and the manufacturer's representative shall notify the department electronically or in writing of all changes in the status of any service provider and any additions, deletions, or other changes to the manufacturer's complete listing of service providers, which shall include for each service provider the name, location, phone number, contact name, and hours of operation. Notification shall occur on a quarterly basis or more frequently if required by the (insert agency information).
- (b) If the manufacturer or manufacturer's representative replaces a service provider, the manufacturer and manufacturer's representative shall make all reasonable efforts to obtain driver

records and data from the original service provider and provide the records and data to the new service provider. If the manufacturer or manufacturer's representative does not replace the service provider, the manufacturer and manufacturer's representative shall make all reasonable efforts to obtain driver records and data from the original service provider, maintain the records and data at the main business office of the manufacturer's representative, and provide the records and data to the department as required by this regulation.

- (c) Each manufacturer and manufacturer's representative shall notify all affected drivers of the change of service provider or replacement of the device as soon as possible or within a timeframe defined by the jurisdiction.

#### *Security; tampering prohibitions; conflict of interest*

- (a) Each manufacturer and each manufacturer's representative shall be responsible for ensuring that the manufacturer's service providers comply with all the following security requirements:
  - (1) Only authorized employees of a service provider may observe the installation of a device.
  - (2) Reasonable security measures shall be taken to prevent the driver from observing the installation of a device and from obtaining access to installation materials.
  - (3) Service providers shall be prohibited from assisting in any manner, with tampering or circumvention of any device.
  - (4) Manufacturer's representatives and service providers shall not install or service a device on a vehicle owned or operated by the manufacturer's representative or service provider, any of the service provider's employees, or for (insert agency information)-required installations.

- (b) Nothing in this regulation shall prohibit a manufacturer, manufacturer's representative, or service provider from installing a device in that entity's vehicles for demonstration and testing purposes.

#### *Device removal*

Whenever a service provider removes a device, the following requirements shall apply:

- (a) The only persons allowed to remove or observe the removal of the device shall be service providers or a manufacturer's representative associated with the manufacturer of that device.
- (b) Adequate security measures shall be taken to ensure that unauthorized personnel cannot gain access to proprietary materials and to the files of drivers.
- (c) Upon removal of the device, the service provider shall ensure that both of the following occur:
  - (1) The driver is provided with a report showing the removal of the device.
  - (2) The service provider and the manufacturer shall restore the driver's vehicle to an operating condition after removal of the device.

#### *Proof of installation*

- (a) If a driver is unable to provide proof of installation of the device to the department for the full restriction period required, the department shall extend the ignition interlock device restriction period until the driver provides the department with proof that the driver has had a device installed in a vehicle for a period that is equal to or greater than the initial ignition interlock device restriction period provided all the jurisdiction's compliance requirements are met.
- (b) Any device may deviate from the breath sample requirement by accepting a breath sample of

less than 1.2 liters of air if the deviation is approved in advance by the department to address valid accommodation requests under the Americans with Disabilities Act of 1990. Each request for accommodation shall be submitted on a form provided by the department. Each form shall require a certification by a licensed pulmonologist that the driver has a lung condition that will render the driver incapable of blowing a normal breath sample, 1.2 liters of air or more, into an ignition interlock device.

*Certifications, fees for ignition interlock manufacturers, service centers, and technicians*

- (a) Each manufacturer application shall be completed on the designated form by the (insert agency information) annually. Each application shall be accompanied by a fee of \$ (insert fee amount here).
  - (1) Each new manufacturer shall have its initial certification for 6 months. Within the first 6 months, the manufacturer shall establish service centers and service providers within 100 miles of each other. When the manufacturer has met these requirements, they must reapply and submit a fee of \$ (insert fee amount) to complete their annual certification.
  - (2) Failure to comply with the regulations set forth by the (insert agency information) may result in loss of the manufacturer's certification.
- (b) Each **manufacturer** shall submit at least two devices for device testing. A fee of \$ (insert fee amount) must accompany each submitted device.
  - (1) The manufacturer is required to install the device in a designated vehicle prior to testing and provide the necessary manufacturer's equipment to conduct such testing.
  - (2) The manufacturer is responsible for training department staff on proper usage of the installed device and provide access to any generated data or results by the device during testing.
  - (3) After testing is completed, the manufacturer will be contacted by the department or designee to have the device removed.
  - (4) If the device is approved, the device certification shall be valid for 3 years from the date of approval.
- (c) All **service centers** must apply for and maintain their certification.
  - (1) Each new service center is required to apply as designated by the (insert agency information) accompanied by a fee of \$ (insert fee amount) annually for the first 3 years. After the service center has been established and approved for 3 years consecutively, the \$ (insert fee amount) fee and application are due every 3 years thereafter.
  - (2) If a service center goes out of business, the manufacturer shall notify the department within 24 hours of the service center closure.
- (d) For each **technician** who is installing, downloading, repairing, or calibrating devices, the manufacturer should be required to apply or renew at least annually to the jurisdiction.
  - (1) The annual application or renewal should include:
    - (A) evidence of annual training (the jurisdiction should either develop or approve training content).
    - (B) the criminal history of each technician, ensuring that there have been no criminal convictions or

inappropriate behaviors (as defined by the jurisdiction) committed by the individual resulting in a complaint(s) that preclude them from performing these tasks.

(e) All manufacturers, service centers, and technicians are required to adhere to any regulation set forth in all relevant administrative regulations and state statutes. Failure to do so may result in the collection of a jurisdictional fine or fee as described in the following schedule:

- (1) Failure to have a manufacturer representative – \$ (insert fee amount).
- (2) Failure to notify the department before the cancellation of any insurance policy – \$ (insert fee amount).
- (3) Knowingly providing, attempting to provide, or with reckless disregard of the accuracy of the information providing false information regarding device certification – \$ (insert fee amount).
- (4) Any service provider or installing, or any manufacturer permitting the installation of a non-certified device – \$ (insert fee amount).
- (5) Failure of the manufacturer to notify the department of any device failure – \$ (insert fee amount).
- (6) Failure to notify the department of a service center closure – \$ (insert fee amount).
- (7) Removal of another manufacturer's device or equipment without written permission or consent by the department – \$ (insert fee amount).
- (8) For any violation of rules and regulations related to ignition interlock devices

adopted by the department or the laws of this state not listed above, the department may assess a \$ (insert fee amount), per violation, per day.

(f) In order to monitor and regulate the program, the department shall receive the following fees:

- (1) \$ (insert fee amount) for every device installed upon installation
- (2) \$ (insert fee amount) per month per device. Persons approved for the reduced IID program costs shall have this fee waived.

**AAMVA Best Practice Recommendation 3.1.**

Jurisdictions adopt regulations outlining the parameters of their ignition interlock program in alignment with AAMVA's model regulations.

**AAMVA Best Practice Recommendation 3.2.**

Mail-in calibrations should not be allowed. However, if necessary, because of the remote location of the participant, such practice should be accompanied by periodic in-person servicing to allow for the inspection of wiring and detection of circumvention techniques that cannot be detected remotely.

*Ignition interlock installation/removal procedures*

The installer shall screen the vehicle for acceptable mechanical and electrical conditions, in accordance with the provider's instructions.

Conditions that would interfere with the function of the device (for example, low battery or alternator voltage, stalling frequently enough to require additional breath tests) shall be corrected to an acceptable level.

**AAMVA Best Practice Recommendation 3.3**

**(Installation and Removal Procedures).** Jurisdictions have pre- and post-ignition interlock installation checklists (see Appendix E for a checklist exemplar from Virginia).

## Chapter Four Ignition Interlock Program Architecture: Manufacturer Oversight

Administrators should establish procedures and guidelines that facilitate the approval and oversight of device certification, ignition interlock manufacturers, service centers, and technicians.

### Device Certification Standards

NHTSA publishes the model specifications for performance and uniform testing of IIDs. The model specifications were published on May 8, 2013, and came into effect on May 8, 2014, revising the 1992 model specifications. An amendment was added in 2015. These guidelines contain a wide variety of test procedures that are recommended for IID units. Most U.S. jurisdictions reference these specifications within their administrative regulations or statutes when approving IID manufacturers and devices for use.

The Association of Ignition Interlock Program Administrators (AIIPA) publishes an Ignition Interlock Best Practices Guide identifying best practices for use on subjects not covered in the NHTSA model specifications ([www.aiipaonline.org](http://www.aiipaonline.org)).

In Canada, the CSA developed and published the *CSA-Z627-16 Breath alcohol ignition interlock devices* standard in November 2016 to describe the technical specifications, features, functionality, and qualification testing requirements for IIDs that can be accepted and adopted by all provinces and territories.

It is the manufacturer's responsibility to submit its devices to an independent laboratory for testing to ensure their instruments meet the standards listed within the model specifications. A laboratory must be accredited to the ISO 17025 standard. The manufacturer must provide the applicable documentation of this testing to the jurisdiction upon

application for device approval. Jurisdictions may require additional device testing.

**AAMVA Best Practice Recommendation 4.1 (NHTSA Model Specifications).** Jurisdictions adopt specifications that meet or exceed the NHTSA model specifications, and program administrators become familiar with the recommended NHTSA model specifications and model guidelines for ignition interlock devices<sup>9</sup> (or CSA).

**AAMVA Best Practice Recommendation 4.2 (Proof of Insurance).** Each manufacturer applying for certification of an ignition interlock device should obtain and provide proof of a policy of product liability insurance from a carrier authorized to do business in that jurisdiction at the minimum amounts as required by the jurisdiction. In most cases, these amounts are \$1 million per occurrence and \$3 million in aggregate.

**AAMVA Best Practice Recommendation 4.3 (Certification Documentation).** The following verbiage should be used to define these certification requirements correctly:

The certification documentation must be provided from an ISO 17025–certified independent testing laboratory. The test results must verify that the proposed ignition interlock device meets or exceeds the current model specifications of the NHTSA or CSA and the additional requirements set forth by the Administering Authority. The test report must bear the manufacturing date of the IID test samples, authorizing signatures, and attestation by the corporate officers of the certified independent

<sup>9</sup> NHTSA Federal Register. (2014). *Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIID)*. Effective date May 8, 2014. Washington, DC.

laboratory indicating the accuracy of the reported results. In addition, the respondent should provide the appropriate certification to indicate that the proposed IIDS are manufactured in a facility that is ISO 9001 certified. The manufacturer should assume all costs associated with the laboratory analysis and its reporting.

A manufacturer seeking certification in a jurisdiction should submit with its application a detailed description of the device, including the instruction, installation, and troubleshooting manuals; a signed test certificate, which include the serial numbers and firmware (software) versions of the devices tested; and all technical specifications describing the accuracy and reliability of the device. The laboratory results should be reviewed by qualified technical staff who understand the NHTSA or CSA recommended specifications and can review the results against the standard testing requirements to ensure that they have been completed correctly.

Upon receiving an application for device approval, program administrators should describe additional jurisdictional testing standards that will be performed on each IID model before its approval. Testing at the local level will allow a jurisdiction to ensure the device is programmed correctly; has the correct device settings; and operates under the jurisdiction's policies, laws, and regulations.

The model specifications provide tests to ensure the IID's functionality is accurate and reproducible. The device manufacturer is responsible for complying with this battery of tests.

**AAMVA Best Practice Recommendation 4.4 (Ignition Interlock Device Testing).** The jurisdiction requires the manufacturer to have the IID tested by a third-party lab accredited to ISO 17025 standards. The manufacturer should be able to provide to the jurisdiction a copy of passing test results from each of the tests. Each test is designed to examine a distinct function of the IID. As such, the IID's failure of one test should be deemed a failure to comply with the

model specifications. The test results may contain voluminous raw data. However, for most jurisdictions, a summary of the results of each test should be sufficient to determine compliance with the model specifications. Jurisdictions may consider device testing under various adverse conditions.

## Additional Recommendations

### *Cameras*

Cameras may be used as an anticircumvention measure and detection tool. Cameras are additionally useful for compliance-based removal and assist in upholding violations. Cameras capture participants who are attempting breath samples and show the absence of participants to provide a test.

The following is a suggested minimum requirement for the camera components and functionality:

1. The camera shall not impede the field of vision of the driver for safe and legal operation of the vehicle.
2. The camera shall not pose a threat to the driver or passengers of the vehicle in the event of dislodgement during an emergency stop or maneuver of the vehicle to avoid a collision or during a collision.
3. The camera shall operate in the same temperature range as the ignition interlock device standards that are required for certification within the jurisdiction.
4. The camera shall take an image of the driver with sufficient clarity and resolution to allow driver identification.
5. The camera shall operate in all lighting conditions and capture a clear image of the driver for identification.
6. The camera shall focus on and take an image of the driver while the driver is attempting a breath alcohol test with the ignition interlock device.

7. The vendor shall take a reference image of the driver during the installation appointment for identity comparison purposes with the image captured of the driver attempting a breath alcohol test with the ignition interlock device.
8. The camera shall incorporate tamper detection features that will indicate:
  - a. If the lens is covered or blocked to prevent light from entering the image capture system of the camera
  - b. If the lens is coated or is covered by a material to distort the image capture
  - c. If the field of view of the camera has been altered by repositioning of the camera
  - d. Disconnection of communication between the camera and the ignition interlock device
  - e. Disconnection of power to the camera
9. All images taken by the camera of the driver shall be stored with the date and time of image capture, the result of the breath test, and the corresponding ignition interlock participant identification or account number. Data should be readily available to the jurisdiction upon request.
10. The camera shall capture images of the driver attempting the breath alcohol test with the ignition interlock device for the events listed following:
  - a. Any attempted breath test sample (when the ignition interlock device captures the sample for analysis)
  - b. Any engine starts
  - c. Failure to take a retest when required
  - d. Any other event as required by the jurisdiction

Jurisdictions should consider using geolocation technology, which can be serviced either through cellular service or satellite, for additional monitoring of ignition interlock device compliance. Geolocation can be beneficial to jurisdictions for real-time reporting and in connection with tampering, probation, or license restriction investigations. Privacy rights may be implicated and should be evaluated by any jurisdiction considering using geolocation. Standards for reporting of the location should be incorporated into the data log and made readily available to the jurisdiction.

Reporting can be latitude and longitude coordinates, pin maps, estimated locations, or any combination of the three.

### *Real-Time and Near Real-Time Reporting*

Real-time reporting is a tool that has the capacity to enhance a jurisdiction's ability to receive event data independent of a required service which further enables manufacturers to report data directly to the appropriate authority.

Real-time reporting refers to the reporting of an event as defined by the jurisdiction as near as possible to the event occurring. For example, a monitoring authority could be notified within minutes of a violation recorded by the device. Near-real-time reporting refers to the reporting of specific events as defined by the jurisdiction, at a prescribed time of day.

### *Oversight and Monitoring*

A vendor oversight plan should be designed to ensure the reliability and service delivery mandates within the jurisdiction. An oversight plan will identify all expectations of a manufacturer, service centers, and installation and calibration technicians. Oversight plans are often imbedded within the jurisdiction's regulations. If this is the case, the regulations should provide clear and concise expectations to all manufacturers requesting certification (see Chapter 3).

## *Database Requirements and Retention*

Jurisdictions may choose to collect and store the data themselves, and others may have the data collected and stored by the manufacturer to be made available upon demand. If jurisdictions allow retention of these databases by the manufacturer, retention of data should follow the jurisdiction's record retention regulations.

## *Ignition Interlock Device Facilities*

As a result of changes in personnel, device settings and other critical elements, inspections of facilities should occur at least annually.

The inspections should ensure that ignition interlock device facilities possess the following:

- Appropriate calibration set-up
- A waiting room that is out of view of the installation bay and is climate controlled
- Free of hazards
- Good physical condition
- Current business license and jurisdiction certification posting
- Current state and federal labor laws
- Fee posting
- Restroom available to participants

Identified ignition interlock device facility findings should be documented and routed to the oversight authority for immediate correction by the manufacturer or vendor.

## *Technicians*

It is imperative that technicians are properly trained and possess the knowledge, skills, and abilities to perform the duties of the job with efficiency and professionalism. Some jurisdictions prohibit ignition interlock device manufacturers from subcontracting

ignition interlock services to third parties. In these cases, individuals permitted to perform ignition interlock services are actual employees of the ignition interlock manufacturer. Ignition interlock technicians should be certified by the jurisdiction to perform ignition interlock device services. Their certification should include:

1. Criminal background check
2. Motor Vehicle Record (MVR) report (driver history record)
3. Certification indicating that the individual has passed a knowledge examination regarding the jurisdiction's ignition interlock laws and processes

Technicians may have their certification suspended, revoked, canceled, or terminated for nonconformance with any of the above requirements.

## *Administrative Fees*

Some jurisdictions allow for fees to be promulgated by the oversight authority at a set fee or an amount within an established range. Fees related to program administration and technician oversight may include application, device certification, service center set-up, technician testing and qualification, background checks, and annual or random inspections. Fees related to customer service and monitoring may include installation, calibration, removal of the device, missed appointment fees, lock-out code fees, and violation reset fees. Other administrative fees should include minimum liability insurance amounts per occurrence and a "hold harmless" agreement removing the jurisdiction from all claims, demands, and actions as a result of damage or injury to persons or property.

## *Installation Wait Times and Customer Service*

The ignition interlock device is only effective if it is installed within a timely manner, allowing the participant to return to his or her employment and

other obligations requiring transportation. Monitoring of manufacturers' or vendors' installation wait times assists oversight authorities in their compliance-based monitoring programs. Lengthy wait times for appointments or substandard customer service can have a negative effect on the public's perception of the ignition interlock program and industry. Customer service complaints should be completely investigated

and resolved. Jurisdictions should make random calls to verify scheduling or use anonymous customer service satisfaction surveys to identify any areas of concern.

A solid foundation of communication and clarity among jurisdictions and ignition interlock manufacturers and vendors proves beneficial in program compliance and regulation.

## Chapter Five Ignition Interlock Program Architecture: Participant Oversight

This chapter discusses several critical components that jurisdictions should consider when structuring participant monitoring as part of their ignition interlock programs.

### Resource Requirements

As mentioned in Chapter 4 and according to the NHTSA's Model Guidelines for State Ignition Interlock Programs, each jurisdiction should designate an agency with clear authority and responsibility to manage the program; establish regulation and administrative procedures; and provide oversight of manufacturers, service centers, technicians, and program participants.

Reliable funding is important to ensure program stability. The importance of sufficient funding, which in most cases includes fees collected from participants and manufacturers or vendors, cannot be overstated in the development and management of an effective ignition interlock program. However, the amount of resources necessary is highly dependent on variables such as the program model, level of participant monitoring, data management system(s), manufacturer oversight, and other critical features. To effectively estimate and procure these resources, jurisdictions must make certain to define the scope and reach of all program components through clearly established administrative regulations. Although enabling legislation is critical in establishing a jurisdiction's authority in relation to its ignition interlock program, the ability to maintain flexibility and adaptability is also important.

### Application and Enrollment

Regardless of the model a jurisdiction uses (i.e., administrative, judicial, or hybrid), the installation of the ignition interlock device and issuance of the restricted driver's license are critical program requirements. Jurisdictions should clearly outline the processes and fees that an individual must complete to have an ignition interlock device installed, a restricted driver's license issued, restricted driving privileges, and a properly maintained device throughout program enrollment.

In addition, program participants should have a clear outline of all program rules (e.g., violations, monitoring) and training on the use of the ignition interlock device as part of the program enrollment process. It is also recommended that jurisdictions provide participants with critical contact information for both the ignition interlock coordinating authority and device manufacturer with the enrollment and application materials. Providing information early in the installation phase reduces participant confusion and may help support increased program retention rates.

### Device Installation Duration Requirement

AAMVA supports the minimum ignition interlock device installation duration of 180 days. However, longer durations should be strongly considered, particularly for repeat or high-risk offenders. Only the time during which the device is installed and operational should count toward a participant's ignition interlock requirement.

## Affordability

Many jurisdictions have some form of established affordability program for participants; however, utilization of such programs varies widely. The determination of affordability should be based on a comprehensive review of participant income and assets and not simply on eligibility for public defender representation. Some jurisdictions have an affordability fund for qualifying participants that helps those who cannot afford participation. All participants should be enrolled in the ignition interlock program regardless of the affordability or ownership of a vehicle.

Program management should include effective communication with participants about the availability of such program features and documentation to determine approval processes. Oversight of the affordability program varies by jurisdiction.

**AAMVA Best Practice Recommendation 5.1 (Affordability Program).** Participants applying for affordability status for the purpose of the ignition interlock program shall be deemed to qualify for such status by showing proof of their enrollment in any public assistance programs, not limited to but, including the following:

- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Supplemental Nutritional Assistance Program (SNAP)
- Low Income Home Energy Assistance Program (LIHEAP)

Participants meeting this standard shall receive free or reduced fee for installation and monthly device lease rate or vehicle transfer fees charged to program participants. Participants meeting the affordability standard should not receive a discount for charges associated with violating the program rules. The manufacturer may inquire every 6 months while the participant is on the Interlock program to determine a

change in financial status of the offender and whether the participant still meets the affordability standard and qualifies for the reduced lease rate.

The jurisdiction should provide information on their program website informing interlock participants about the affordability program and how they qualify and apply.

The Certified Interlock Manufacturer is required to provide information about the affordability program to all participants at the time of appointment and at the time the participant completes their lease paperwork.

The Traffic Injury Research Foundation's *Alcohol ignition interlocks & affordability: What do we know?* (September 2017) also contains information on affordability program participation.

## Treatment and Behavior Modification

Education and treatment should be used together with the ignition interlock device to reduce the instances of recidivism. Behavior change can be accomplished using practices that combine education, treatment, and monitoring of the ignition interlock participant.<sup>10</sup>

Some jurisdictions are adopting 24/7 sobriety programs. AAMVA recommends that in jurisdictions that adopt 24/7 programs, they consider 24/7 to be used in conjunction with, not in lieu of, ignition interlock programs. Jurisdictions are best positioned to make their own judgments on when and where each type of program is most viable and effective.

## Ignition Interlock Program Treatment Best Practices

Treatment is the management of care for a person with substance use disorder. It may encompass a range of interventions, including group and individual counseling, brief interventions, cognitive-behavioral strategies, motivational intervention, and pharmacotherapy. The purpose of treatment is to

<sup>10</sup> Traffic Injury Research Foundation. (2011). *Effective Strategies to Reduce Drunk Driving*.

identify and alleviate substance use disorders and interrupt these addictive patterns.

Screening and assessment of participants can determine which individuals have significant substance use disorders, will be most likely to reoffend, and will benefit from treatment, as well as what type of treatment would be most beneficial to that individual. Ignition Interlock devices should be considered a useful tool within a treatment program to assist in compliance monitoring.

Ignition interlock devices are a proven countermeasure shown to reduce recidivism while installed and separate drinking from driving. In addition, a study conducted by the Centers for Disease Control and Prevention shows interlocks are 32% effective in preventing recidivism 48 months after interlock removal when combined with treatment.<sup>11</sup> Ignition Interlocks allow offenders to continue driving if they are sober or prevent them from operating their vehicles if they are over a pre-set alcohol limit.

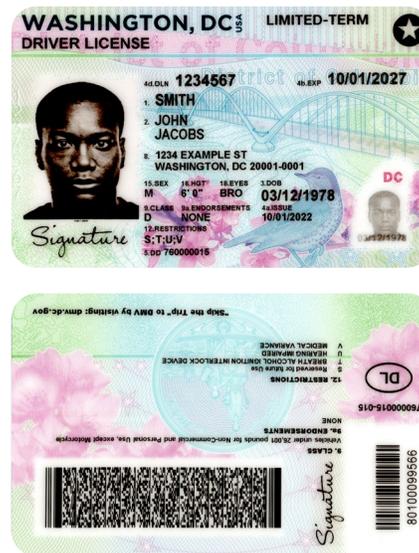
## Uniform Driver License Restrictions

Every jurisdiction should have a clear notation of an ignition interlock restriction on an individual's driver license (and recorded in the MVR). This is essential for both licensing authorities and law enforcement agencies. This notation clearly informs law enforcement of the ignition interlock restriction and enables immediate intervention if a participant is observed operating any vehicle without the required ignition interlock device.

AAMVA adopted the "T" restriction code, which serves as an indicator of the MVR for the ignition interlock restriction. This restriction code will be shared by various systems used by MVAs and law enforcement. In addition to this code, jurisdictions may have an additional icon or indicator displayed on the credential.

<sup>11</sup> Voas, R. B., Tippetts, A. S., Bergen, G., Grosz, M., & Marques, P. Mandating treatment based on interlock performance: Evidence for effectiveness. *Alcohol Clin Exp Res.* 2016;40(9):1953–1960. [https://stacks.cdc.gov/view/cdc/83858/cdc\\_83858\\_DS1.pdf](https://stacks.cdc.gov/view/cdc/83858/cdc_83858_DS1.pdf)

The next step to support jurisdiction restrictions would be for AAMVA to consider a new AAMVA Code Dictionary (ACD) code (A42) to serve as a code uniquely identified to indicate the ignition interlock restriction requirement on the participant's driving record. This new ACD code along with the "T" restriction and other systematic functions can help identify and maintain compliance with ignition interlock requirements regardless of the participant's residency.



### AAMVA Best Practice Recommendation 5.2

**(Uniform Restriction Code).** Jurisdictions adopt the "T" ignition interlock restriction code and display the restriction code on the front and/or back of the issued driver's license.

**AAMVA Best Practice Recommendation 5.3 (ACD Code).** AAMVA consider developing a new A42 ACD code for jurisdictions to adopt (when available).

It is imperative that ignition interlock–required drivers fully understand the restriction and the potential consequences if they violate the restriction. In jurisdictions where multiple agencies have authority to require an ignition interlock device, clear communication and coordination among the various entities is essential to ensure that all necessary license restrictions and record entries are accurately

posted. The correct and consistent documentation of ignition interlock restrictions is especially necessary in situations in which an individual is likely to travel across jurisdictional boundaries.

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## THE MARYLAND EXAMPLE

Maryland's Ignition Interlock Program, established in 1989 and managed by the Maryland Department of Transportation Motor

Vehicle Administration (MDOT MVA), provides Maryland drivers with an alternative to license suspension or revocation and allows them to continue driving while reducing the likelihood they will drive impaired.

Currently, eight service providers are authorized to install and monitor ignition interlock devices in Maryland. All service providers must install a device for eligible participants within 10 days of a request and provide a toll-free 24-hour emergency response number. Participants are responsible for all fees for installation and monthly monitoring.

After being enrolled in the Ignition Interlock Program, participants are required to report to their service provider every 30 days to have the ignition interlock device calibrated. During each monthly monitoring period, the ignition interlock device records each event, along with the date, time, and test result (if a test was performed). This information is transmitted to the MDOT MVA, and its automated system reviews the data to identify any events that may constitute a program violation. All Maryland ignition interlock vendors are required to install devices equipped with integrated digital cameras that store a digital image every time a breath sample is taken; these images are available for retrieval to confirm that the participant provided the required breath sample. Camera-equipped ignition interlock devices are a valuable tool to prevent and investigate testing fraud and sanction violators.

In addition to cameras, Maryland requires all its participating ignition interlock vendors to offer accommodations to assist customers who are deaf or hard of hearing. Vendors are accomplishing this by having an additional light bar attached to the dashboard that flashes when a test is required or having devices that offer visual or vibration notification, and some offer a flashing LED that is integrated to work with the handset. Maryland continues to work with all participating vendors to ensure their training videos are offered in the closed caption format, their call centers are accessible to those who are deaf or hard of hearing, and the quality of the service center interaction is consistent with all other residents of the state. Maryland is planning to publish a *Customer*



*Interaction Best Practice Guide* for all its vendors in 2023. The guide will focus on all residents of the state receiving a consistent interaction and service experience from participating vendors.

Each time a participant has one or more violations during a monitoring period, their participation period is extended by 1 month. If there is a fourth monitoring period with a violation, after a review by the Ignition Interlock Program staff, the driver may be removed from the program and the original licensing sanction imposed. A participant is considered to have successfully completed the program when MDOT MVA receives certification from the service provider that in the final 3 months of their assignment, there was not an attempt to (1) start the vehicle with a BrAC of 0.04 or more unless a subsequent test is performed within 10 minutes and registers a BrAC lower than 0.04; (2) a failure to take or pass a random test with a BrAC of 0.025 or lower unless a subsequent test performed within 10 minutes is registered a BrAC lower than 0.025; or (3) a failure of the participant to appear at the approved service provider when required for maintenance, repair, calibration, and so on.

Maryland's Ignition Interlock Program monitors thousands of participants each year. The total number in the program fluctuates daily as new participants enter and others complete the program or are removed for noncompliance. To provide a consistent measure of program participation, the numbers of unique participants with one or more active Ignition Interlock Program referrals are tracked on a quarterly as well as annual basis. It is significant to note that the percentage of participants in the program increased by 10% from fiscal year 2016 to fiscal year 2017, primarily because of the implementation of Noah's law. Noah Leotta was a Montgomery County police officer who was killed in the line of duty by an alcohol-impaired driver.

The Drunk Driving Reduction Act of 2016, also known as Noah's law, makes Maryland's roadways safer by mandating ignition interlock devices for impaired drivers who are convicted of certain impaired driving offenses by increasing administrative driver licensing sanctions and by making the requirements for completing assignments to the Ignition Interlock Program more stringent. The implementation of Noah's law has resulted in increased participation in the Ignition Interlock Program, particularly among drivers opting into the program for the first time for a per se violation.

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## Ignition Interlock Devices in Lieu of Administrative License Suspension or Revocation

Although jurisdictions have designed their individual ignition interlock programs to comply with statute and administrative regulation, all ignition interlock programs involve some form of license restriction.

The design of an ignition interlock program should focus on methodologies that permit the driver to quickly select enrollment and installation of an ignition interlock device and administrative license suspension/revocation (ALS/R). Additionally, compliance-based monitoring and removal practices are increasing in popularity, acceptance, and effectiveness in lieu of immediate ALS/R practices.

## Violations, Monitoring, and Compliance-Based Removal

Compliance-based monitoring is a system with a designated time during which participants are required to have an ignition interlock device installed without violations. Federal law<sup>12</sup> authorizes grants to states that, among other requirements, adopt and enforce a mandatory alcohol ignition interlock law with a compliance-based removal program under which an individual completes a minimum consecutive period not less than 40% of the required period of ignition interlock installation immediately preceding the date of release of the individual, without a confirmed violation. Removal of the device and program completion should be based on clearly established compliance guidelines.

**AAMVA Best Practice Recommendation 5.4 (Compliance-Based Removal).** Compliance-based removal is a recommended best practice (see Model Ignition Interlock Program Legislation in Appendix D).

The NHTSA Model Guidelines suggest that a key program feature is the establishment of procedures to ensure monitoring of participants. This monitoring may include verification that the ignition interlock device is installed, the vehicle is being driven, and the participant appears for the download of data and servicing of the ignition interlock device. During this monitoring process, instances such as tampering, circumvention, and device calibration should be reviewed. In addition, data contained in the ignition interlock device relating to a participant's failure to

provide a test or retest, failure to install, or failing a required breath test should be identified and reported to the appropriate referring authority.

The specific action that a monitoring authority takes in response to a violation must be clearly defined and communicated to participants. Jurisdictions should establish consistent monitoring and reporting guidelines that establish service intervals, violation explanations, and the specific consequence(s) that result from a violation (e.g., time extension, treatment). Unless prohibited by the jurisdiction, this information should be communicated directly to the participant in writing, with a description of the violation event(s) that occurred during that monitoring period.

In implementing this oversight and monitoring model, jurisdictions must also carefully consider the data management framework needed to effectively execute this process. In general, two data models are currently used by most jurisdictions: manufacturer-based reporting and jurisdiction-managed data analysis. Manufacturer-based reporting typically requires the interlock manufacturer to download data elements from the device and provide the monitoring authority with data on specific events. In contrast, jurisdiction-based systems usually involve the monitoring authority using a custom-designed data management system to obtain and analyze device information, required by the MVA, from the manufacturer.

Although manufacturer-based data reporting requires less resource investment, jurisdiction-based systems provide more consistency in event analysis and permit enhanced automation of participant monitoring.<sup>13</sup> Regardless of the system used, jurisdictions must integrate an effective data management process to use compliance-based monitoring.

12 Congress.gov. Text - H.R.3684 - 117th Congress (2021-2022): Infrastructure Investment and Jobs Act. November 15, 2021.

13 Robertson, R., Holmes, E., & Vanlaar, W. (2013). *Alcohol interlock programs: Data management system implementation*. Ottawa: Traffic Injury Research Foundation.

## Program Accommodations

The provisions included in the Infrastructure Investment and Jobs Act (H.R. 3684) allow medical and employer exemptions. U.S. jurisdictions should check with their regional NHTSA offices to ensure compliance with federal requirements.

### *Medical Accommodations*

Flexible program requirements may be necessary to accommodate participants who have legitimate medical limitations. Jurisdictions should require a minimum breath sample volume for ignition interlock device tests as mentioned in the AAMVA model regulations (Chapter 3). If a participant has a verified medical condition, the required breath sample size (volume) may be reduced. The ambient flow rate should not be reduced but may be increased to compensate for the reduced volume.

Jurisdictions should develop a standard form for the participant to have completed by her or his physician. The form will explain to the physician the breath sample size and flow rate required to successfully activate the device. The physician will have the ability to clearly indicate the patient's capability of giving an adequate breath sample. It is important that the form has the proper section for the participant's consent for release of information. Application for the medical accommodation should include a spirometry examination by a qualified health care provider who can assess forced vital capacity and forced expiratory volume in 1 second. A second opinion from an additional qualified health care provider is advantageous to determine consistency in testing.

### *Employer Exemption*

Although AAMVA does not recommend employer exemptions, some jurisdictions have requirements within their statutes or regulations that provide an exemption for employer-owned vehicles while working. Jurisdictions should require documentation from the employer verifying the employment

and need to operate a company-owned vehicle. Additionally, jurisdictions may want to have the employer provide specific information regarding the vehicle the employee will be operating and their hours of operation. Participants should be provided with documentation to verify this exemption and should be required to have it in their possession whenever operating the employer-owned vehicle. This exemption should not apply to businesses owned by the participant.

## Participant Monitoring

The close monitoring of participants is essential to the effectiveness of a jurisdiction's ignition interlock program. Monitoring helps to prevent recidivism and therefore alcohol-related crashes and other alcohol-related violations by the participants.<sup>14</sup> What follows are two jurisdictions' effective participant monitoring programs. One is an administrative hybrid program, and the other is administered by a state law enforcement agency.

### THE VIRGINIA EXAMPLE

The Commission on Virginia Alcohol Safety Action Program (VASAP) is a network designed

to provide DUI probationary monitoring, education, treatment, and ignition interlock compliance. It is a hybrid program, receiving referrals from both the courts and the Department of Motor Vehicles (DMV). The uniqueness of VASAP is that a single state agency regulates the ignition interlock program, DUI education, and treatment. VASAP is the only court-related statewide program in the nation related to DUI intervention. Ignition interlock regulations, vendor oversight, reporting, service center inspections, customer service, out-of-state transfers, and reciprocity are all overseen by VASAP.

To ensure standardization and equitable access to ignition interlock participants, VASAP has 24 Alcohol Safety Action Program (ASAP) offices strategically located throughout the commonwealth. In addition,



<sup>14</sup> Zador, P., Ahlin, E., Rauch, W., Howard, J., & Duncan, G. (2011). The effects of closer monitoring on driver compliance with interlock Restrictions. *Accident Analysis & Prevention*, 43(6), 1960–1967.

there is an ignition interlock service center within a 50-mile radius of every residence in Virginia. VASAP is an integral part of a “systems approach” in combating the alcohol-related public safety problem in Virginia. Virginia’s system combines education and treatment with ignition interlock monitoring. It operates on participant fees, realizing substantial savings to the commonwealth.

The Commonwealth of Virginia’s Ignition Interlock Program is monitored through the Traffic Records Electronic Data System (TREDS). This system was created in partnership with the Commission on VASAP and the Virginia DMV primarily because of an increase in ignition interlock referrals. Virginia’s law requires that as a condition of a restricted license, a participant may only operate a motor vehicle equipped with a functioning, certified ignition interlock system. Virginia’s law also requires upon a second or subsequent DUI conviction that the ignition interlock system be installed on each motor vehicle owned by or registered to the participant, in whole or in part, for such period of time. TREDS provides the local ASAPs and the interlock service providers with a tool to electronically relay critical information in a timely and efficient manner.

It is important to promptly install ignition interlock devices and minimize installation wait times. The Virginia law allows participants to “prequalify” with the local ASAPs to have the ignition interlock device installation scheduled before the court date, although the actual installation cannot occur until on or after the date of conviction. During the enrollment period, participants independently select their ignition interlock service providers. ASAP employees are prohibited from influencing the selection of an ignition interlock service provider. After the manufacturer selection has been made, ASAP sends an installation authorization through TREDS.

### Program Processes

Upon court conviction or notification from the DMV, participants are required to report to the local ASAP program within 15 days to validate the license with the ignition interlock restrictions. Virginia Code mandates the installation of the ignition interlock device within 30 days of the effective date on the court order.

During intake, participants are informed of the correct ignition interlock process and procedures during an in-person review with their assigned case managers. Participants are classified to determine the appropriate level of education or treatment using the VASAP Classification Guidelines. Participants classified as education or intensive education are required to attend a 10-week ASAP education group in addition to the ignition interlock monitoring. The VASAP education curriculum is evidence based to affect behavioral change. Participants classified as potential candidates for treatment will select from the Commission on VASAP Service Provider Directory an American Society of Addiction Medicine substance abuse service provider to conduct a treatment assessment. If an offender is assessed as needing treatment, they will

*The VASAP system was selected as a model program by the American Probation and Parole Association for its cost effectiveness and success rates.*

be required to follow the prescribed treatment plan as outlined by the treatment provider in addition to ignition interlock monitoring.

When the requirements for obtaining a restricted license have been met, ignition interlock device installation is authorized by the local VASAP. At installation, participants are trained by the ignition interlock service provider on the proper use of the ignition interlock system.

The ignition interlock device must be installed for a minimum of 6 consecutive months without alcohol-related violations. In some instances, the court may require the offender to have the ignition interlock device installed longer than 6 months.

Because the law requires compliance with the ignition interlock program before a full license can be reinstated, provisions are made to remove the “no car” barrier. Participants who are installing an ignition interlock device in a non-owned vehicle must first have the vehicle owner execute and notarize the ignition interlock consent to install form. At that point, the device can be installed in a vehicle owned by a friend or family member who will allow the participant to complete the requirement.

Successful ignition interlock compliance rates also rely on the removal of other barriers such as medical limitations and affordability. When there are instances in which a participant cannot provide the required breath sample to operate the ignition interlock device, VASAP may approve a breath sample volume reduction upon receipt of valid medical documentation. In a case when the court has determined that the participant is indigent, full or partial reduction in ignition interlock device fees may be approved after a thorough review and verification of income and expenditures.

Research has shown that a key element to extend the effect of an ignition interlock program is to provide alcohol rehabilitation. Simultaneously, participants are involved in education, treatment, and an ignition interlock program for a least a 6-month period. ASAPs are responsible for monitoring monthly ignition interlock device calibrations to ensure there are no alcohol-related violations. An identified ignition interlock device violation will result in a 6-month extension of the ignition interlock requirement from the date of the violation. Other possible outcomes include a return to court for noncompliance, reclassification, or revocation of license.

The ignition interlock calibration provides the treatment specialist with data that can be used to create and modify treatment plans and promote recovery. This type of approach requires significant cooperation and

*Reciprocity has been achieved with states that have regulatory flexibility.*

communication among VASAP staff, the DMV, and treatment providers. Even if the ignition interlock requirement is completed within the prescribed 6-month time, participants are monitored for at least 1 year and for a period of 3 years for multiple DUI offenses.

The VASAP system was selected as a model program by the American Probation and Parole Association for its cost effectiveness and success rates. VASAP uses a broad approach of supervision and technology as tools to reduce DUI.

### Reciprocity Practices and Hybrid Ignition Interlock Specifications

A common challenge among all jurisdictions revolves around reciprocity issues related to ignition interlock device settings for clients with dual-state ignition interlock requirements. Reciprocity has been achieved with states that have regulatory flexibility. Virginia approached the states of Kentucky, South Carolina, and West Virginia to create a hybrid ignition interlock specification for individuals who have a dual-interlock requirement between any of these states. The proposed hybrid ignition interlock setting has been officially approved by all four states. In addition, Virginia has a separate agreement with Delaware regarding ignition interlock device settings for dual-state requirements.

The approval and implementation of the hybrid ignition interlock device settings increases ignition interlock device setting efficiency for the ignition interlock vendors, provides participants the ability to satisfy dual-interlock requirements simultaneously, and enhances the overall positive impact on highway safety.

#### THE WASHINGTON STATE EXAMPLE

The Washington State Patrol (WSP) Ignition Interlock Program (IIP), in partnership

with the Washington Traffic Safety Commission, developed a grant-funded project for monitoring individuals with failed alcohol tests or circumvention cases. The project started in 2009 with a single trooper and has evolved into a dedicated team composed of a sergeant, three troopers, and an office assistant.

In Washington, there is no violation of law when a participant provides a breath sample above the ignition interlock device fail threshold levels. However, an ignition interlock device restriction will remain in



place unless the final 180 consecutive days of the installation are free of violations, including failed alcohol tests, missed random retests, and missed appointments for calibration. Below is the language found in RCW46.20.720 governing removal of an ignition interlock restriction:

**Requirements for removal.** A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying the following:

- (a) That there have been none of the following incidents in the one hundred eighty consecutive days prior to the date of release:
  - (i) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;
  - (ii) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;
  - (iii) Failure to pass any random retest with a breath alcohol concentration of lower than 0.020 unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples;
  - (iv) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device; or
  - (v) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington state patrol; and
- (b) That the ignition interlock device was inspected at the conclusion of the one hundred eighty-day period by an ignition interlock technician certified by the Washington state patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

The WSP IIP monitors alcohol level violations and refused retest incidents that are provided by the manufacturers. Using teams of two uniformed officers, in-person contact is made with participants who have violations, typically at their homes. When participants are contacted, they are advised that they are not in trouble but that they have been identified as having "violations" on their ignition interlock devices. They are educated on the 180-day compliance requirement of which they are often unaware.

These checks provide very useful information to the IIP personnel, often leading back to the manufacturer to ensure that those in the service center are providing proper, correct information to the customers.

The visits also serve as a reminder to the participants that they are being monitored. There are thousands of fails sent to the IIP each month, and not all these participants can be visited. However, of the hundreds who are visited each year, it is rare that the same individual is visited more than once. In 2022, the approximately 22,000 participants in Washington recorded approximately 98,000 violation reports. Of these, approximately 1.4% (1,404) of the participants were contacted by WSP IIP troopers.

The participant contacts are, when applicable, the highest risk participants, those new to the program, and those nearing the end of their restriction period within the geographic area (county) the team is working in that day. This is assessed based on the frequency of alcohol fails, the alcohol level, and the frequency of missed tests.

It is common for a participant to not be home when contact is attempted. The WSP IIP developed a door hanger that can be left at participants' homes (Appendix F). It provides detailed information as to the reason the visit took place as well as contact information so the individual may speak with one of the troopers over the phone. The door hanger is two sided with English on one side and Spanish on the other. Most individuals who receive the door hanger will phone the WSP within 1 or 2 days of receiving the information.

The WSP also conducts criminal investigations for ignition interlock device tampering and circumvention. In 2022, the WSP performed 63

criminal investigations regarding the tampering or circumvention of ignition interlock devices. The WSP is often notified that a participant has brought his or her vehicle in for service and appears not to be using the vehicle regularly. The IIP personnel then examine the vehicle registration database to see if there is more than one vehicle registered to the driver. (Operation of a non-ignition interlock-equipped vehicle is considered a circumvention in Washington.) If the participant is found to have more than one vehicle, the troopers will conduct surveillance either at home or work. Numerous participants have been caught driving non-ignition interlock-equipped vehicles. A traffic stop is performed, and the participant is arrested for driving without an ignition interlock installed (a gross misdemeanor).

In 2012, camera technology became a requirement for all ignition interlock devices. This served as a protection for the participant as well as aiding investigators in the determination of circumvention attempts. Having someone else provide a sample is the most common type of circumvention being used but also one of the easiest to detect through photographic evidence. Often the image displays a minor passenger providing the sample for the participant. Additional charges of child endangerment are sometimes sought for these types of cases.

GPS technology was added to the device requirements in 2015. Coordinates are obtained for every breath request made by the device. The use of the coordinates confirms the location of the offense for criminal charges. When applicable, violations are reported to the participant's probation officers or monitoring court.

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## Chapter Six Ignition Interlock Device Program Administration

This chapter focuses on ignition interlock program administration. There are many factors to consider when building and maintaining a successful ignition interlock program.

Program administration varies by jurisdiction. In some jurisdictions, the IID program resides within the MVA as a branch within an existing driver-related program. In other jurisdiction, IID program oversight might be a separate standalone agency or even shared by more than one agency. Regardless of origin, it is important to have a strong partnership with the MVA or agency that maintains the participant's driving record to ensure accurate reporting of such requirements.

An IID program has several areas of focus within the scope of oversight. The designated agency (or agencies) should have clear authority and responsibility for management of the program. This includes establishing program regulations and administrative procedures and oversight of ignition interlock device manufacturer's, service centers, and technicians. The following list of functions and roles collectively promote a comprehensive IID program.

- **Processing:** Creation and maintenance of IID requirement on participant's driving record. This function is responsible for ensuring the IID data entry and reporting requirements.
- **Contact center:** The team handling customer calls related to DUI and IID requirements. This role is often combined with the processing function.
- **Device certification:** The role associated with this function is responsible for all manufacturer or device certification components. This role is typically the manufacturer's point of contact.

- **Reporting and participant monitoring:** This function is related to the electronic reporting of installation, removal, calibration, and other types of reporting. This is a technical role within your program.
- **Service center inspections:** This role is responsible for conducting physical inspections of interlock manufacturer locations.
- **Communication and outreach:** This role is responsible for all levels of IID program communication and outreach, which includes, at a minimum:
  - Promoting law enforcement education and understanding of requirements
  - Public awareness of the ignition interlock program
  - Legislative outreach
  - Fostering a partnership with the approved IID manufacturers in your state
  - Establishing partnerships with other relevant stakeholders

### Ignition Interlock Device Program Funding

Ignition interlock device program funding varies by jurisdiction. Some programs are funded within the agency responsible for the program, or funding may be provided by the highway safety office or other source. This guide can be a helpful tool to justify budget requests for staff positions and other resources needed for your program.

Jurisdictions that impose special requirements such as an IID license may also be authorized to keep some or all the fee amount for IID program administration. See the model regulations in Chapter 3 for an example of a potential fee structure. Grant funding may also be available (refer to the [NHTSA's website](#)).

## Chapter Seven Standardized Reporting Process

All manufacturers within a jurisdiction should be required to report ignition interlock device data in a consistent and uniform format as defined by the MVA. It is also important for jurisdictions to establish the frequency for these data to be provided.

### Standardized Reporting

General reporting standards should be developed by jurisdictions detailing events of the ignition interlock device performance activity. The reports submitted to jurisdictions from the ignition interlock device manufacturers should be complete with information necessary to determine compliance and should be consistent from jurisdiction to jurisdiction and manufacturer to manufacturer. Reports should be delivered by the manufacturer to the monitoring authority using the approved format.

### Electronic versus Paper Reporting

There are two basic electronic reporting models. One involves a jurisdiction's use of a manufacturer-hosted data portal that provides access to participant information, 24 hours a day, on a near-real-time basis. In this model, the information is formatted by the manufacturer and will vary among manufacturers. The other model involves the manufacturer's download of ignition interlock device data into a single jurisdiction-operated database system. In this model, the jurisdiction must format the data for display in a uniform manner among all manufacturers operating in the jurisdiction.

A paper reporting system is not recommended. However, if this is the model used, it is important that the jurisdiction clearly defines the format and types

*AAMVA has created model installation, removal, vehicle transfer, and mechanics affidavit forms (see Appendix G).*

of data that it requires manufacturers to provide. This should include clear requirements for the provision of installation, monitoring, and removal documentation required by the jurisdiction. Paper reporting could be necessary when processing out-of-state participants.

AAMVA has created a model installation, removal, vehicle transfer, and mechanics affidavit forms (see Appendix G). This one form eliminates the need for multiple forms within your jurisdiction. Adoption of this form by jurisdictions also helps ensure uniformity in reporting requirements, especially when processing out-of-state participants.

### Standardization of Reporting Requirements

The types of reports that jurisdictions require vary widely in type and application. Ignition interlock devices can provide almost any type of data. Standardization within the jurisdiction is a best practice, and at a minimum, it should define the standard report it receives on a regular basis for each ignition interlock participant. The report should capture the date each participant appeared for service of the ignition interlock device, all attempted breath tests including images captured, and the BrAC level, bypasses, failure to take retests, circumvention or tampering of the ignition interlock device, failure to report for servicing, and any additional information required by the jurisdiction.

## Installation and Removal Report

Installation and removal reports should be provided within 24 hours of the installation or removal and should include:

- Manufacturer information
  - Name of manufacturer
  - Name and address of service center
- Participant information
  - Name
  - Date of birth
  - Residence address
  - Driver’s license number
  - Jurisdiction
  - Phone number
  - Email
- Installation or removal information
  - Date of installation
  - Date of removal (uninstall)
  - Time of service
  - Name of installation technician (and certification number, if applicable)
  - Name of removal technician (and certification number, if applicable)
  - Device manufacturer and model
  - Device identification information (handset serial number, relay serial number, and camera serial number)
    - Vehicle on which ignition interlock device is installed
    - Make
    - Model
    - Year
    - Vehicle Identification Number (VIN)
    - License plate number
    - Jurisdiction
    - Odometer reading at time of installation
    - Odometer reading at time of removal
    - Jurisdiction requiring the ignition interlock device
    - Duration of restriction

## Calibration and Violation Reports

This report is designed to assist the ignition interlock monitoring agency in the official review and determination of administrative action or presentation of violation information to the court or other monitoring body for appropriate action. The events that are considered violations should be highlighted for greater ease in reviewing the reports. Reports should be provided within 24 hours of performing service and calibration of the ignition interlock device and should include the date and time of the calibration.

- Any use or attempted use of the vehicle or the ignition interlock device
- Alcohol concentration of each breath sample provided
- Any BrAC reading
- Any failure to provide required or retest samples
- Any lockout or early recall (violation reset)
- Any attempt to tamper, alter, circumvent, override, or bypass the ignition interlock device
- Any malfunction of the ignition interlock device and any interruption in the ignition interlock device’s memory
- Any emergency bypass allowed
- Any change out of the device (handset or control box) and reason for the change out
- Date of next scheduled monitoring visit
- Number of engine starts during the reporting period
- Number of violations
- Odometer reading at time of service

## Vehicle Transfer Report

Ignition interlock reports vary widely in type and application. It is recommended that jurisdictions use a standardized form. Vehicle transfer reports should be provided within 24-hours of the transfer.

Transfer reports should include:

- Date and time of transfer
- Previous vehicle information (year, make, model, VIN, odometer reading at time of transfer)
- New vehicle information (year, make, model, VIN, odometer reading at time of transfer, license plate number, registration state)
- Reason for transfer
- Location of transfer
- Technician's name (and certification number, if applicable)

## Manufacturer Reports

Manufacturer reports should be provided in intervals prescribed by the jurisdiction to the monitoring agency and should include:

- Total number of new installations
- Total number of device removals
- Total number of participating users
- All installations during the period covered
- Number of calibrations performed during the period
- All cases that qualified for affordability program

- Number of cases in which misuse, abuse, tampering, or attempts to tamper with the ignition interlock device occurred
- Any device failure caused by a material defect or improper installation, including device model, version, and serial numbers
- A summary of all complaints received and corrective action taken
- Electronic data transmission errors, including any data submitted that do not match the required field format or description resulting in an error and the specific reason for the error
- Number of emergency bypasses, if allowed
- Notification of device model if it has been decertified in another jurisdiction

## Mechanic Affidavit

A mechanic affidavit should be completed when a vehicle equipped with a certified ignition interlock device is serviced at a state-licensed automotive repair or service facility. The purpose of the affidavit is to report that any violation(s) recorded by the ignition interlock device were incidental due to the work being performed. The mechanic should describe the type of repair work performed (all receipts for parts or sublet labor must be attached) and should include how their actions resulted in the ignition interlock device recording a violation. The mechanic shall contact the ignition interlock manufacturer for a specific bypass code to allow for service as defined by the MVA.

A model template is provided in Appendix G.

## Chapter Eight Basics for Law Enforcement Roadside Ignition Interlock Interaction

The purpose of this chapter is to help law enforcement officers understand the basic requirements of an ignition interlock device (IID) restriction and the steps necessary to investigate whether an IID violation has occurred.

Here are the six easy steps at roadside.

1. Determine whether the driver is restricted to operating a vehicle equipped with an IID. If the driver's license is not presented, the restricted status can be determined by running the driving record. Also check whether an IID exemption exists). If an exemption exists, the driver should have documentation. The absence of an IID when one is required is a violation and in most jurisdictions is also a chargeable offense.
2. Determine that the vehicle being operated has an IID and that the required components are present (e.g., handset, camera).
3. Have the driver turn the vehicle off and observe the handset display (to see a status change verifying the IID is properly connected).
4. Wait for the IID to fully power down (can take up to 3 minutes).
5. Have the driver attempt to start the vehicle without providing a breath sample (should not start).
6. Have the driver provide breath sample.
  - a. Driver blows below set point: The car will start.
  - b. Driver blows at or above set point: the car will not start (investigate for possible DUI).
  - c. Driver provides a breath sample that is not accepted by the IID (abort): The IID will prepare for a new sample.



Although there are differences in IID configuration between jurisdictions, device operation is consistent.

If a circumvented IID is detected, the officer should:

- Investigate for impairment.
- Determine the method of circumvention and document (e.g., disconnection, alternate air source.).
- Photograph the device and evidence of circumvention.
- Record the device manufacturer and serial number (found on handset).
- Cite the violation under the appropriate code or statute.
- Contact jurisdiction program administrator who can assist with recorded IID data as needed for prosecution. (In some jurisdictions, this must occur before a citation can be issued.)

Remember the IID only detects alcohol. If there is other evidence of impairment (vehicle in motion, personal observation, and so on), officers should continue with possible impaired driving investigation to detect impairment by other impairing substances.

**AAMVA Best Practice Recommendation 8.1.**

Jurisdictions should include IID basics as part of their impaired driver training. Jurisdictions should consider using the [AAMVA law enforcement ignition interlock training video](#) as part of their overall impaired driving basic curriculum.

**AAMVA Best Practice Recommendation 8.2.**

Law enforcement training administrators should work with the jurisdiction's ignition interlock program administrators to develop the appropriate IID curriculum.

## Chapter Nine Reciprocity

The goal of reciprocity is to allow ignition interlock participants to successfully comply with any jurisdiction's program requirements regardless of residency. For the purposes of this best practices guide, the reciprocity discussion and examples provided are focused on the United States.

AAMVA has long supported the principle of one driver, one license, one record. Accordingly, jurisdictions use two driver's license compacts and various AAMVA systems to support this principle.

The Driver License Compact (DLC) was created to provide uniformity among member jurisdictions when exchanging information with other members on convictions, records, licenses, withdrawals, and other data pertinent to the licensing process as related to non-CDLs. The Non-Resident Violator Compact (NRVC) ensures a non-resident receiving a traffic citation in a member state fulfills the terms of that citation or face the possibility of license suspension in the motorist's home state until the terms of the citation are met, also for non-commercial citations. NRVC is used for failure to pay or appear withdrawals only. The DLC and NRVC Compacts were created to ensure uniformity when performing specific types of non-CDL-related transactions.

The State-to-State (S2S) Verification Service is a means for a state to electronically check with all other participating states to determine if the applicant

currently holds a driver's license or identification card in another state. The Driver History Record (DHR) is a feature within S2S that supports the concept of one driver, one history record. This functionality allows for transmitting out-of-state convictions and withdrawals between states for noncommercial drivers.

The DHR supports this real-time exchange of information by identifying individuals who may have previously had more than one driver history record and sets rules for maintaining driver history records in a standardized manner. Not only does this lead to a decrease in processing time, but it also leads to an increase in driver history accuracy and completeness, which ultimately makes roads safer for all drivers.

The jurisdiction can impose fines and incarcerate the violator in accordance with its laws, but when the driver is a nonresident, administrative sanction on a driver's license should also be imposed by the driver's licensing state. Therefore, if a nonresident driver is convicted of an alcohol-impaired violation or sanctioned through administrative per se, that information should be provided to the driver's state of record, where it will apply its legal requirements to the driver in addition to the legal requirements of the jurisdiction where the violation occurred.

For example, if a state convicts a nonresident of an alcohol-related violation, in addition to any action imposed by state of conviction, the information would also be forwarded to the driver's state of record, where the laws concerning ignition interlock device requirements would be applied as appropriate.

*The goal of reciprocity is to allow ignition interlock participants to successfully comply with any jurisdiction's program requirements regardless of residency.*

## *Inconsistent Program Requirements*

Differences among jurisdictions regarding ignition interlock laws, procedures, and requirements is a challenge that will need to be addressed when developing a reciprocity agreement. A reciprocity agreement should factor in the following requirements:

### *Program Requirements*

Differences between jurisdiction ignition interlock requirements may include:

- Compliance-based removal
- Calibration set-points
- Service intervals
- Minimum breath requirements
- Exemptions
- Cameras
- Geolocation
- Anticircumvention and tampering requirements

Ignition interlock reciprocity allows for the transfer or acceptance of an ignition interlock device requirement from another jurisdiction. Jurisdictions should enter into a reciprocal agreement and establish open communication to develop effective reciprocity protocols.

The intent of reciprocity is to:

- Receive information about ignition interlock restrictions from another jurisdiction when it occurs by a nonresident driver.
- Transfer the driving record to the new jurisdiction when a driver moves from one jurisdiction to another.
- Ensure restrictions are recorded accurately and are transferable regardless of state of residence.

- Ensure active withdrawals on the driving record remain in effect when moving to a new jurisdiction.
- Ensure the driver clears any fines or fees due to the former jurisdiction before the driver receives their new license when moving to another state.
- Allow the driver's jurisdiction to enforce the applicable laws for a citation or conviction according to the laws of the driver's state of record.

## **Moving to Another Jurisdiction**

Before initiating the driver license application process in their new state, it is recommended that all IID restricted participants contact the MVA to ensure they are aware of the ignition interlock requirements. The participant is also responsible for notifying their previous state of record of the ignition interlock requirement transfer.

Upon application of a driver's license in a new jurisdiction, if a check of the Problem Driver Pointer System (PDPS) indicates the new jurisdiction is made aware of an ignition interlock restriction, the driver would now be subject to the new state's ignition interlock requirements.

If there is an existing ignition interlock device installed in the vehicle, the participant should be responsible for notifying the manufacturer, and the new state must receive confirmation the device is provided by a certified manufacturer for monitoring. It is the participant's responsibility to ensure the manufacturer of their current device is certified in their new state of record.

## **Nonresident Violations**

When a qualifying violation or conviction is received, any points and sanctions required by the laws of the driver's jurisdiction are applicable and should be applied to the driver's records in accordance with the normal process for nonresident moving

violations. States may want to ensure that there are no provisions in their law or administrative code that prohibit ignition interlock program requirements for individuals with DUI convictions in other states.

## Challenges to Reciprocity - Jurisdictional

### Points of Contact

A challenge in implementing consistent reciprocity among jurisdictions is the lack of points of contact for IID related communications.

**AAMVA Best Practice Recommendation 9.1 (Points of Contact).** Each jurisdiction should appoint one primary and one backup point of contact to receive communications regarding reciprocity issues from other jurisdictions and establish a process to update their point of contact whenever personnel changes are made.

### License Issuance Reciprocity

Currently, there is not a standard ACD code on the driving record in use to identify the withdrawal of driving privileges for an Ignition Interlock device requirement. Additionally, the lack of standardization regarding license status contributes to the confusion among jurisdictions when determining if or when to issue credentials in their states. Although a restriction to an ignition interlock device-equipped vehicle is considered a “withdrawal” of driving privileges, the driver may maintain some form of driving privileges if specific compliance requirements are met. The following details a proposed approach to support ignition interlock license issuance reciprocity among jurisdictions.

### Installation Eligibility Requirements

Variance exists among jurisdictions regarding when a conviction or other qualifying event requires installation of an ignition interlock device. Participation in an ignition interlock program may be required by some jurisdictions for any qualifying conviction or administrative action or may be a requirement for probation.

### Removal Requirements

Removal criteria may vary among jurisdictions. Many jurisdictions have compliance-based requirements in which the participant must remain violation free when using the ignition interlock device for an established time prior to removal. Other jurisdictions have removal criteria based solely on the completion of the time required. Removal prior to the completion of requirements may result in additional sanctions.

### Extension Requirement

Violations of ignition interlock requirements may extend the period of restriction. The method and authority for extending ignition interlock device duration may differ among jurisdictions depending on the program type. (See Chapter 2 for description of program types.) The convicting jurisdiction’s extension requirements may differ from the state of residence.

## ACD Code Requirement Needed

Currently, there is no ACD code that indicates the requirement to have an ignition interlock device installed. The code universally used by U.S. jurisdictions for violations of ignition interlock requirement is A41. However, this code does not indicate the initial requirement to operate a vehicle equipped with an IID present.

Code	Description
A41	Driver violation of ignition interlock or immobilization device or lease agreement.

**AAMVA Best Practice Recommendation 9.2 (New ACD Code).** AAMVA should work with its members to create a new ACD withdrawal code (A42) to identify the condition of ignition interlock withdrawal on the driving record. The data requirements for this type of code would be consistent with other types of withdrawals that are in use. This withdrawal code would be considered a PDPS reportable offense.

## AAMVA System Reporting

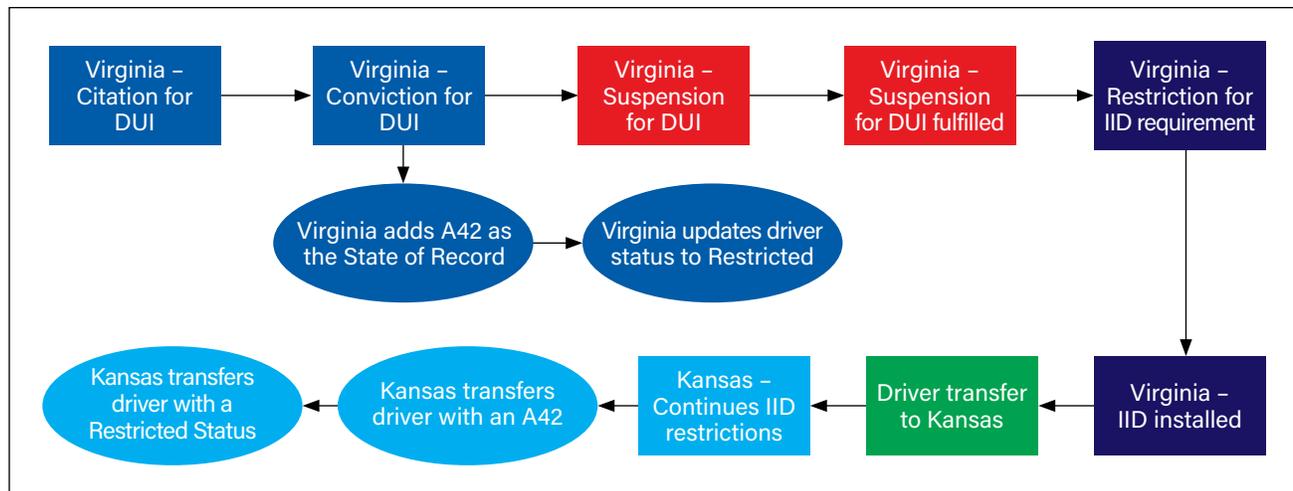
In the PDPS and CDLIS, there are specific rules for each ACD code. Depending on the type of conviction and or withdrawal sent, the status in PDPS and CDLIS will reflect one of the following: eligible (ELG), licensed (LIC), not eligible (NOT), or deceased (RPD) for both commercial and non-commercial license statuses. Jurisdictions only issue credentials to participants who are eligible for such licenses.

**AAMVA Best Practice Recommendation 9.3 (AAMVA System Reporting).** Create a new status code of restricted (RES) in CDLIS, PDPS, and S2S that would inform the jurisdiction that the driver may operate a vehicle only with a properly working IID.

## Ignition Interlock Transfers

It is common for a jurisdiction to issue an ignition interlock device requirement to a resident who is moving to another jurisdiction. It is possible to create a reciprocal agreement among jurisdictions when determining how to handle restriction transfers.

The following flowchart depicts what a reciprocal process would look like with the implementation of the A42 ACD code and AAMVA system reporting status:



## Data Reporting Requirements

Differences in reporting requirements and reporting methodologies may exist (e.g., fax, secure web based, real-time reporting). Although electronic reporting of installation, removal, tampering, and circumvention is recommended, some jurisdictions may rely on paper communication from ignition interlock device manufacturers. The data content and the interpretation of the reporting could also vary among jurisdictions.

In addition to the above requirements, each jurisdiction should be aware of three types of current participant scenarios when establishing a reciprocity agreement:

1. The participant had a valid license with an ignition interlock restriction in her or his state of residence and then moved to another jurisdiction.
2. The participant was convicted outside their jurisdiction of DUI with an ignition interlock restriction and will continue to reside in their home jurisdiction, which can lead to a participant having multiple IID requirements from multiple jurisdictions.
3. The participant was convicted of DUI in one jurisdiction with an ignition interlock restriction and then moved to another jurisdiction prior to participating in the program in the convicting jurisdiction.

### *Short-Term Solution to Inconsistent Ignition Interlock Program Requirements*

Jurisdictions enter into reciprocity agreements only with jurisdictions that mirror their program requirements.

Jurisdictions agree to allow the laws and ignition interlock program requirements of a participant's state of residence to take precedence over the requirements of the convicting jurisdiction.

### *Long-Term Solution to Inconsistent Ignition Interlock Program Requirements*

**AAMVA Best Practice Recommendation 9.4 (Uniform Standards).** All jurisdictions should adopt the uniform standards contained within this best

practices guide for ignition interlock–related laws, regulations, and requirements. Uniformity would streamline reciprocity between jurisdictions.

## **Reciprocity Tool**

The Commission on VASAP created the INSPIRE web-based platform for use by interlock programs to aid in the reduction of reciprocity challenges regarding vendor oversight. INSPIRE provides states with the ability to complete ignition interlock inspections through a mobile format and communicate with ignition interlock vendors electronically for inspections, facility approval, technician approval, and testing. For information on INSPIRE, visit [www.vasap.virginia.gov](http://www.vasap.virginia.gov).

*All jurisdictions should adopt the uniform standards contained within this best practices guide for ignition interlock–related laws, regulations, and requirements.*

## Chapter Ten Outreach and Education

This chapter addresses the importance of effective outreach and communication to key stakeholders to gain the public acceptance needed for a successful ignition interlock program. Following are talking points suggested for some of the key stakeholder groups.

### Legislative Outreach

When engaging legislators and their staff, time is usually limited. AAMVA recommends a summary of the program or brochure be developed that enumerates the problem and how ignition interlock devices are part of the solution.

In addition, briefing material should explain how ignition interlock devices not only protect the public from alcohol-impaired drivers but also allow participants to continue to drive to and from work and elsewhere if they drive sober.

### Judicial Outreach and Education

The lack of driving privileges is a significant barrier that participants must overcome when seeking to comply with a judge's orders. The use of ignition interlock devices by courts can provide substantial benefits to participants and courts.

The participant transportation barrier is overcome when offenders obtain restricted driving privileges by installing ignition interlock devices on their vehicles. Resolving transportation problems can increase the likelihood that participants successfully meet their IID program requirements.

### Training

It is important to familiarize courts with ignition interlock devices, their reliability, and how they can help further promote highway safety. Judicial conferences, online training, and single-topic training sessions are effective methods for training in the advantages of using ignition interlock devices.

Another important point of emphasis is encouraging MVAs to communicate and coordinate as appropriate with their courts.

Training of probation, parole, and community supervision officers in the use of ignition interlock devices should not be overlooked. This training requirement provides an opportunity to educate criminal justice stakeholders on the advantages of ignition interlock devices and jurisdictional processes, procedures, and limitations.

### Law Enforcement Outreach and Education

One of the primary challenges of an effective ignition interlock program is enforcing participant compliance. This is due in part to the lack of widespread familiarity by law enforcement officers with interlock program requirements.

In 2018, NHTSA launched a first-of-its-kind online ignition interlock course for law enforcement. This 2-hour course equips law enforcement officers with information and resources to assist them when they encounter a driver who has, or should have, an ignition interlock device installed in their vehicle. The course is hosted on the International Association of Directors of Law Enforcement Standards and Training First Forward website free of charge and is nationally certified for continuing education credits.

Outreach to and education of law enforcement partners is critical to the success of any ignition interlock program.

## AAMVA Training Video

Outreach to and education of law enforcement partners is critical to the success of any ignition interlock program. AAMVA produced a law enforcement training video to assist law enforcement officers with roadside identification of ignition

interlocks devices, when they have been circumvented, and the driver's license restrictions they may encounter.

## Other Educational Media

Jurisdictions should consider developing educational brochures, webinars, and other training media for their law enforcement partners to assist in the effective enforcement of ignition interlock violations. Following is a brochure the Kansas DMV provides to its law enforcement partners in Kansas:



### Step by Step Law Enforcement Traffic Stop for Ignition Interlock Drivers

- 1) Identify/verify a driver with an Ignition Interlock Restricted License.
- 2) Have the driver turn off the vehicle.
- 3) Observe inside the vehicle to determine if an ignition interlock is present.
- 4) After at least 3 minutes have passed, ask the driver to start the vehicle.
- 5) If the vehicle starts without the driver having to take a breath test:
  - The vehicle is not installed with an ignition interlock device:
    1. Charge the driver with 8-1017(4) - Illegally operate a vehicle not equipped with an ignition interlock device while such person's driving privileges have been restricted to driving a motor vehicle equipped with such device; or
    2. Charge the driver with 8-1567—if their BAC is above .08

OR

  - The driver has circumvented the interlock device:
    1. Charge the driver with 8-1017(a)(1,2,3) - Conviction of tampering, circumventing or rendering an IID inaccurate or inoperative or Request or solicit another person to blow.
- 6) If the vehicle can't start without the driver having to take a breath test:
  - Have the driver take a breath test.
    - If device registers a "pass", the vehicle will start.
  - If the device registers a "fail", the driver's BrAC is above .03
    - Wait 15 minutes, have driver retest.
    - Subsequent "fails" will cause the device to go into early recall and will need to be reset.
    - Investigate for DUI.
- 7) If the vehicle with the Ignition Interlock Device was in a crash or can't be started or encounters other device problems, contact the appropriate service provider.

Should you have any questions or need any assistance please do not hesitate to contact  
Kansas Highway Patrol (785) 296-6800

### License Type Examples



**Normal**



**Ignition Interlock**

## Public Outreach

It is important for the public to understand that ignition interlock technology prevents alcohol-impaired driving by participants, resulting in increased public safety for all motorists, including the participant.

When a participant has an ignition interlock device installed, the participant obtains restricted driving privileges. The MVA may sanction the driver to the original administrative license revocation or suspension if the participant violates the conditions of the IID program. Maintaining restricted driving privileges can enable participants to maintain employment, complete substance abuse treatment, and take care of familial and court-ordered responsibilities that require driving. This is particularly important in rural areas where

participants may not have access to transportation alternatives.

## Participant Outreach

Outreach to participants should include, at a minimum, an explanation of the jurisdiction's ignition interlock program requirements, costs, a list of approved manufacturers, and an explanation of the benefits of their mandatory participation in the ignition interlock program.

Jurisdictions should also have FAQs on their website or included in a brochure, which may be provided to those who are required to have ignition interlock devices installed. Following is a brochure the Arizona Department of Transportation provides to its program participants.

**ADOT**  
Motor Vehicle Division

### Certified Ignition Interlock Device (CIID)

State law requires installation and maintenance of an interlock after being convicted of a certain alcohol- and/or drug-related violations (see Arizona Revised Statutes [28-1381](#), [28-1382](#), [28-1383](#), [28-1461](#) and [28-3319](#)).

#### What is an Ignition Interlock Device?

An ignition interlock device is a device that is installed in a motor vehicle to prevent alcohol-impaired individuals from driving. Before starting the vehicle, the driver will be required to blow into the ignition interlock's mouthpiece to provide a breath sample for analysis. If the driver's blood alcohol concentration is above the preset limit (0.02), the vehicle will not start. Once the vehicle is started, the driver may be required to submit additional breath samples at random times while the engine is running. For safety reasons, the device cannot turn off the car ignition once it has been started. The ignition interlock retains and transmits data to the department including test results and violations.

#### How do I get the Ignition Interlock installed?

A list of ignition interlock service providers authorized for use in the State of Arizona is available at <https://azdot.gov/motor-vehicles/driver-services/ignition-interlock/installation-and-monitoring>.

#### What do I do after I get the Ignition Interlock Installed?

*In order to establish a starting point for your required ignition interlock time frame, ensure that all other statutory requirements are met or the cause for the action is removed. To reinstate, please visit an MVD or Authorized Third Party office.* If you have already reinstated your driving privileges, the interlock requirement is effective immediately upon the department receiving notice of the conviction. Failure to have the device installed and to provide verification to MVD within 30 days of your conviction may result in immediate suspension of your Arizona driving privilege and possible extension of the original interlock requirement. Once installed in your vehicle, the interlock device must be calibrated and inspected by a certified installer every 90 days. The manufacturer must electronically submit compliance checks every 90 days.

#### Am I eligible for the Six Month Deferment?

Some first time violations may be eligible to remove the interlock device after 6 months. Contact an MVD or Authorized Third Party office if you feel you may be eligible.

You may be eligible if:

- The violation was on or after January 1, 2012.
- No DUI within the last 7 years (84 months).
- The violation was not an extreme DUI.
- There was no accident involved.
- You completed at least 16 hours of substance abuse education.
- There were no violations during the first 6 months.
- It has been at least 6 months since your reinstatement date.
- 2<sup>nd</sup> 6 months is a "probationary period".

#### What violations are causes for extension or suspension of the CIID?

- **Failed Breath Tests (2 if over age 21/1 if under age 21- samples over the legal limit at any time during the entire interlock requirement)** - The interlock may enter a lockout period and 6 month extension of the CIID.
- **Failed/Missed 3 Consecutive Rolling Retest** - A 6 month extension of CIID. This includes but is not limited to, turning the vehicle off after a request to avoid providing a sample.
- **Missed Scheduled 90 day Calibration Appointment** - A suspension of the driver's license and the original interlock time frame to start over.
- **Tampering or Circumventing the device** - A 6 month extension of the CIID and/or prosecution. Tampering or Circumventing is a Class 1 Misdemeanor.
- **Disconnecting or removing a device early** - A suspension of the driver's license and the original interlock time frame to start over.
  - If you switch vehicles or manufacturers, you have 72 hours from removal to reinstall. During the 72 hours, driving without an interlock device installed is not permitted.

#### Frequently Asked Questions:

For answers to more Frequently Asked Questions please visit <https://azdot.gov/motor-vehicles/driver-services/ignition-interlock/fag>



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## Appendix A Glossary of Terms and Standardized Vocabulary

<b>Accuracy</b>	The confirmation of a device's calibration.
<b>Alcohol</b>	Ethanol or ethyl alcohol (C <sub>2</sub> H <sub>5</sub> OH).
<b>“BrAC fail”</b>	The condition in which an ignition interlock device registers a BrAC value equal to or greater than the alcohol setpoint.
<b>Breath alcohol concentration (BrAC)*</b>	The amount of alcohol in a given amount of breath, expressed in weight per volume (w/v) based on grams of alcohol per 210 liters of breath.
<b>Breath test</b>	Providing a breath sample to an IID.
<b>Calibration</b>	The process of testing and adjusting a device to ensure accuracy by using a breath alcohol simulator or dry gas standard as defined by the current NHTSA model specifications for Calibration Units.
<b>Calibration interval</b>	The time between calibrations during which the IID fulfills the stability requirements for the measurement of the breath alcohol concentration.
<b>Calibration stability</b>	The ability of an IID to hold its accuracy and precision over a defined time.
<b>Circumvention</b>	To bypass the correct operation of an IID by starting the vehicle, by any means, without first providing a breath test. <i>Note: Commonly referred to as bypass, illegal start, or untested engine run.</i>
<b>Department</b>	The area responsible for oversight and administration of the ignition interlock program within the jurisdiction.
<b>Fee or fine</b>	A payment paid to the designated IID oversight agency for the sole purpose of implementing, administering, monitoring, supplementing, and regulating the ignition interlock program.

<b>Fixed site</b>	The building where a certified service center operates. The building shall have a separate waiting room, a bathroom, and a work area. The work area shall be accessible to only the service center and the service center’s employees while performing services.
<b>High BrAC</b>	BrAC A BrAC level higher than 0.08 as determined by the jurisdiction.
<b>Ignition interlock device (IID)*</b>	A device that is designed to allow a driver to operate a vehicle if the driver’s BrAC is below the set point and to prevent the driver from starting the vehicle if the driver’s BrAC is at or above the set point.
<b>Interlock data logger</b>	A device within the IID that records all events, dates, and times during the period of installation and use of an IID. <i>Note: This includes all components of the breath alcohol IID: handset, relay, camera, and so on.</i>
<b>Lockout</b>	A condition in which a device will not accept a breath test until unlocked or serviced as defined by the state or jurisdiction.
<b>Manufacturer</b>	A person or organization responsible for the design, construction, or production of an IID.
<b>Manufacturer representative</b>	An individual designated by the manufacturer as a contact for the program administrator in a state or jurisdiction.
<b>Override lockout</b>	Method of overriding a lockout condition by unlocking a device so that a breath sample can be provided.
<b>Retest</b>	A breath test that is required after the initial engine start-up breath test and while the engine is running. <i>Note: Commonly referred to as a rolling, random, or running retest.</i>
<b>Set point</b>	BrAC at which an IID is set to prevent a vehicle from starting.
<b>Service center</b>	The entity designated by the manufacturer to provide services to include, but not be limited to, installation, monitoring, maintenance, and removal of the IID.
<b>Service interval</b>	The time established by the state or jurisdiction that an IID may be used without maintenance or data download. If the device is not serviced within this period, warnings are provided, and the device will prevent further operation.
<b>Services</b>	The installation, inspection, monitoring, calibration, maintenance, removal, replacement, and repair of approved ignition interlock devices within a particular state.

<b>Tampering</b>	An attempt to physically disable, disconnect, adjust, or otherwise alter the proper operation of an IID.
<b>Technician</b>	An individual authorized and trained to perform services related to an IID.
<b>Violation</b>	Noncompliance with a law, regulation, or rule as defined by a state or jurisdiction.
<b>Violation reset</b>	A feature of the device in which a service reminder is activated in response to a violation.
<b>Withdrawal</b>	The disqualification, revocation, suspension, denial, or cancelation of a driver's license.

## Appendix B Research and Relevant Reference Citations

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- The CSA developed and published the *Z627-16 Breath alcohol ignition interlock devices* standard in November 2016 to describe the technical specifications, features, functionality, and qualification testing requirements for IIDs that can be accepted and adopted by all provinces and territories.
- AIIPA provides a variety of sustained education and training programs to assist our many stakeholders to include, but not limited to, law enforcement, judicial personnel, and state interlock program managers. AIIPA members have access to all of their documentation, training materials, conferences, webinars, and so on.

## Appendix C AAMVA Ignition Interlock Best Practice Recommendation List

**AAMVA Best Practice Recommendation 1.1.** All-offender IID requirement. Jurisdictions that do not have an all-offender ignition interlock requirement should consider pursuing one through the legislative process (see Appendix D for model enabling legislation).

**AAMVA Best Practice Recommendation 3.1.** Jurisdictions adopt regulations outlining the parameters of their ignition interlock program in alignment with AAMVA’s model regulations.

**AAMVA Best Practice Recommendation 3.2.** Mail-in calibrations should not be allowed. However, if necessary, because of the remote location of the participant, such practice should be accompanied by periodic in-person servicing to allow for the inspection of wiring and detection of circumvention techniques that cannot be detected remotely.

**AAMVA Best Practice Recommendation 3.3 (Installation and Removal Procedures).** Jurisdictions have pre- and post-ignition interlock installation checklists (see Appendix E for a checklist exemplar from Virginia).

**AAMVA Best Practice Recommendation 4.1 (NHTSA Model Specifications).** Jurisdictions adopt specifications that meet or exceed the NHTSA model specifications, and program administrators become familiar with the recommended NHTSA model specifications and model guidelines for ignition interlock devices (or CSA).

**AAMVA Best Practice Recommendation 4.2 (Proof of Insurance).** Each manufacturer applying for certification of an ignition interlock device should obtain and provide proof of a policy of product liability insurance from a carrier authorized to do

business in that jurisdiction at the minimum amounts as required by the jurisdiction. In most cases, these amounts are \$1 million per occurrence and \$3 million in aggregate.

**AAMVA Best Practice Recommendation 4.3 (Certification Documentation).** The following verbiage should be used to define these certification requirements correctly:

The certification documentation must be provided from an ISO 17025–certified independent testing laboratory. The test results must verify that the proposed ignition interlock device meets or exceeds the current model specifications of the NHTSA or CSA and the additional requirements set forth by the Administering Authority. The test report must bear the manufacturing date of the IID test samples, authorizing signatures, and attestation by the corporate officers of the certified independent laboratory indicating the accuracy of the reported results. In addition, the respondent should provide the appropriate certification to indicate that the proposed IIDS are manufactured in a facility that is ISO 9001 certified. The manufacturer should assume all costs associated with the laboratory analysis and its reporting.

**AAMVA Best Practice Recommendation 4.4 (Ignition Interlock Device Testing).** The jurisdiction requires the manufacturer to have the IID tested by a third-party lab accredited to ISO 17025 standards. The manufacturer should be able to provide to the jurisdiction a copy of passing test results from each of the tests. Each test is designed to examine a distinct function of the IID. As such, the IID’s failure of one test should be deemed a failure to comply with the model specifications. The test results may contain

voluminous raw data. However, for most jurisdictions, a summary of the results of each test should be sufficient to determine compliance with the model specifications. Jurisdictions may consider device testing under various adverse conditions.

**AAMVA Best Practice Recommendation 5.1 (Affordability Program).** Participants applying for affordability status for the purpose of the ignition interlock program shall be deemed to qualify for such status by showing proof of their enrollment in any public assistance programs, not limited to but, including the following:

- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Supplemental Nutritional Assistance Program (SNAP)
- Low Income Home Energy Assistance Program (LIHEAP)

**AAMVA Best Practice Recommendation 5.2 (Uniform Restriction Code).** Jurisdictions adopt the “T” ignition interlock restriction code and display the restriction code on the front and/or back of the issued driver’s license.

**AAMVA Best Practice Recommendation 5.3 (ACD Code).** AAMVA consider developing a new A42 ACD code for jurisdictions to adopt (when available).

**AAMVA Best Practice Recommendation 5.4 (Compliance-Based Removal).** Compliance-based removal is a recommended best practice (see Model Ignition Interlock Program Legislation in Appendix D).

**AAMVA Best Practice Recommendation 8.1.** Jurisdictions should include IID basics as part of their

impaired driver training. Jurisdictions should consider using the AAMVA law enforcement ignition interlock training video as part of their overall impaired driving basic curriculum.

**AAMVA Best Practice Recommendation 8.2.** Law enforcement training administrators should work with the jurisdiction’s ignition interlock program administrators to develop the appropriate IID curriculum.

**AAMVA Best Practice Recommendation 9.1 (Points of Contact).** Each jurisdiction should appoint one primary and one backup point of contact to receive communications regarding reciprocity issues from other jurisdictions and establish a process to update their point of contact whenever personnel changes are made.

**AAMVA Best Practice Recommendation 9.2 (New ACD Code).** AAMVA should work with its members to create a new ACD withdrawal code (A42) to identify the condition of ignition interlock withdrawal on the driving record. The data requirements for this type of code would be consistent with other types of withdrawals that are in use. This withdrawal code would be considered a PDPS reportable offense.

**AAMVA Best Practice Recommendation 9.3 (AAMVA System Reporting).** Create a new status code of restricted (RES) in CDLIS, PDPS, and S2S that would inform the jurisdiction that the driver may operate a vehicle only with a properly working IID.

**AAMVA Best Practice Recommendation 9.4 (Uniform Standards).** All jurisdictions should adopt the uniform standards contained within this best practices guide for ignition interlock–related laws, regulations, and requirements. Uniformity would streamline reciprocity between jurisdictions.

# Appendix D Model Ignition Interlock Program Legislation

## Introduction

The following model legislation, drafted by the Ignition Interlock Working Group, was vetted by members of the AAMVA legal services discipline. It can be used in jurisdictions seeking model enabling legislation for an ignition interlock program. It can also be used by jurisdictions looking to amend current law to improve their ignition interlock programs.

Particular attention should be paid to Section 3, where the terms “shall” and “may” are inserted. The term “shall” is used if it is the intention of the jurisdiction to require ignition interlocks for “all offenders.” If the jurisdiction intends to have a different trigger (e.g., a second offense, high BrAC), then the more specific intended language should be inserted.

Another area of emphasis is Section 7, “Reciprocity” (Jurisdictional Recognition). This is an area of particular challenge for jurisdictions and provides a statutory solution to this challenge.

Jurisdictions may also want to include a provision allowing the authority to accommodate or exempt certain applicants from the ignition interlock requirement. When granting an exemption for operating employer owned vehicles, jurisdictions may want to consider limitations on the vehicle’s use.

been required to hold an ignition interlock restricted license.

- Authority for the jurisdiction to withdraw the waiver at any point that the authority becomes aware that the individual’s medical condition has improved to the extent that the person has become capable of properly operating an installed device.

Restricted License issuance requirement to be considered include:

- Proof of IID installation
- Required reinstatement and/or program fees
- SR-22 or equivalent high-risk insurance
- Behavior modification programs

## Legislation Summary

This model bill provides for an ignition interlock requirement for a person who is [arrested, charged, convicted, or pleads guilty or *nolo contendere*] to any offense involving the operation of a motor vehicle while impaired by alcohol, drugs, or both. Jurisdictions that also have mandatory or optional ignition interlock requirements for implied consent suspensions or other statutory reasons will need to adjust the legislation appropriately. Jurisdictions, at the discretion of policy makers, may choose to adopt portions and not all the model legislation provided or may adopt in its entirety.

Terms a jurisdiction may want to include that may hold jurisdictional specificity include “Authority”, “Impaired” and “Intoxicated” as appropriate to jurisdictional code. AAMVA is aware that some jurisdictions may split the

*Jurisdictions, at the discretion of policy makers, may choose to adopt portions and not all the model legislation provided or may adopt in its entirety.*

Medical waiver considerations include:

- The driver’s license should be suspended for the duration of time the individual would have

oversight of IID programs between several agencies. This is acceptable if the roles and responsibilities of each oversight agency are clearly and fully defined in the statutes passed by the jurisdiction.

A jurisdiction may need to define “fully complies” and “violations” (as cited in Section 3(2) with respect to how the jurisdiction intends to handle the program. Some jurisdictions have a zero-tolerance level for violations while others may utilize a point-based system to determine the threshold for compliance with the program. Doing so will clarify whether specific violations are relative to the terms of the ignition interlock program.

Jurisdictions should be very clear in section 4 to specify program violations. AAMVA notes that it has generally been regarded as a best practice, in the interest of highway safety, to keep program participants in the IID program where the jurisdictional authority can retain oversight of the individual.

### **{Title, enacting clause, etc.}**

**Section 1. {Short Title}** This act may be cited as the Ignition Interlock Device Act

### **Section 2. {Definitions}**

- (1) “Ignition Interlock Device” means a device that:
  - a. Connects a motor vehicle ignition system to a breath analyzer that measures a driver’s breath alcohol level;
  - b. Prevents a motor vehicle from operating if a driver’s breath alcohol level exceeds the calibrated set point on the device; and
  - c. Requires periodic testing during operation.
- (2) “Certified Ignition Interlock Device” and “Certified Provider” mean such devices and providers or manufacturers as are certified by the [Administration / Motor Vehicle Administration] pursuant to [specific jurisdiction statute or regulation].

*A jurisdiction wishing to solely implement a fixed-length IID program should not include a definition or reference to the definition of compliance-based removals. AAMVA notes that research shows better long-term results with compliance-based removal programs.*

- (3) “Compliance Based Removal” means not allowing removal of the Ignition Interlock Device until the participant completes the designated time period without violations or following standards with regard to violations that require a minimum level of compliance with the Ignition Interlock Device program.

### **Section 3. {Main Provisions}**

- (1) Upon arrest, charging, conviction, guilty plea, or plea of *nolo contendere* to any offense involving the operation of a motor vehicle while impaired, or other administrative action, the [Administration / Motor Vehicle Administration] shall [or may] require a participant to equip any motor vehicle that the participant operates with an ignition interlock device, only operate a vehicle equipped with an ignition interlock device, and fully comply with the [Administration’s / Motor Vehicle Administration’s] ignition interlock program for:
  - a. Not less than 180-days for a first [offense];
  - b. Not less than 365-days for a second [offense];
  - c. Not less than 730-days for a third or subsequent [offense].
- (2) The Authority shall only authorize compliance-based removal of the ignition interlock device after the minimum time provided that the participant whose vehicle was equipped with the device fully complies with all laws, regulations,

and program requirements enacted under this Act. A participant must complete a minimum consecutive period of not less than 40% of the required period of ignition interlock installation immediately preceding the date of removal without a confirmed violation.

(3) The Authority shall:

- a. Determine the minimum time that the participant must use an Approved Ignition Interlock Device as indicated under paragraph (1) of this Section;
- b. Direct that the records of the [Administration] reflect that the participant may only operate a motor vehicle that is equipped with an Approved Ignition Interlock Device.
- c. Direct the [Administration] to note in an appropriate manner a restriction on the participant's license imposed under this Section;
- d. Require proof of the installation of an approved Ignition Interlock Device and regular reporting by the participant as required under the contracted services for verification of the proper operation of the device;
- e. Require the certified provider to notify the Department if a participant fails to comply with any requirement for maintenance or calibration of the ignition interlock device.
- f. Require the certified provider to provide each year an annual report to the department with information as required by the department.
- g. Require the certified provider to seek authorization from the Department prior to removal of the Ignition Interlock Device.
- h. Require the participant to have the approved Ignition Interlock Device monitored for proper use and accuracy by

an entity approved by the [Administration] within 30 days of installation and every 60 days thereafter, or more frequently as the circumstances may require;

- i. Direct that the Administration implement an Affordability Program. Participant eligibility shall be determined by showing proof of enrollment in any jurisdictional or federal public assistance program and/or income that does not exceed 150% of the poverty level.
- j. Require the participant to pay the cost of leasing or buying, monitoring, and maintaining an Ignition Interlock Device unless they qualify for an affordability program.
- k. Make a distinction in the IID restriction period classification data to permit the communication of IID restriction status.

#### **Section 4. {Violation Clause}**

- (1) It is a violation of any program created under this act for any participant to:
  - a. Remove, disable, deactivate, bypass, circumvent or tamper with the ignition interlock device and its accessories;
  - b. Attempt to remove, disable, deactivate, bypass, circumvent or tamper with the ignition interlock device and its accessories.
- (2) It is a violation of any program created under this act for any participant ordered into the ignition interlock program to:
  - a. Fail to report for periodic calibration and servicing of the ignition interlock device;
  - b. Provide fraudulent breath samples or breath samples belonging to any other individual;
  - c. Operate any vehicle not equipped with an ignition interlock device.

- (3) In addition to any other civil or criminal penalty, any participant who violates subsection (1) or (2) shall be subject to, as deemed appropriate by the Authority:
- a. Suspension, revocation, restriction or time requirement extension of the participant's license.
  - b. Extension of the required ignition interlock device period until the provisions of Section (3) (2) are completed.

**Section 5. {Severability Clause}**

If a provision of this Act is or becomes illegal, invalid or unenforceable in any jurisdiction, that shall not affect:

- (1) The validity or enforceability in that jurisdiction of any other provision of this Act; or
- (2) The validity or enforceability in other jurisdictions of that or any other provision of this Act.

**Section 6. {Establishment/Implementation Clause}**

The [Administration] shall establish an Ignition Interlock Program and may promulgate regulations to implement the provisions of this Act, including alcohol education and treatment components.

**Section 7. {Jurisdictional Reciprocity}**

- (1) A resident of another jurisdiction who is required by any jurisdiction to hold an ignition interlock device restricted license to operate a motor vehicle shall be prohibited from operating a motor vehicle in this jurisdiction unless that vehicle is equipped with a functioning, certified ignition interlock device.
- (2) If a resident of this Jurisdiction is convicted of violating a law of another jurisdiction that prohibits a participant from driving a motor vehicle while impaired or under the influence of alcohol and/or other drugs, and, as a result of

the conviction, the participant is subject to the requirements of this Act.

- (3) If a participant from another jurisdiction becomes a resident of this Jurisdiction while subject to an ignition interlock device requirement in another jurisdiction, the participant may only obtain a driver's license in this Jurisdiction if the participant enrolls in this Jurisdiction's Ignition Interlock Device Program pursuant to this Act. The participant is subject to the requirements of this section for the length of time that would have been required for an offense committed in this Jurisdiction, or for the length of time that is required by the other jurisdiction, whichever is longer.

- (4) If a resident of this Jurisdiction is subject to an ignition interlock requirement pursuant to this Act and becomes a resident of another jurisdiction, the participant must enroll in that jurisdiction's Ignition Interlock Program for at least the time remaining under this Act. Failure to do so will result in suspension of the participant's driving privileges in this Jurisdiction until completion of the time required by this Act.

- (5) The Authority may recognize the requirements of another jurisdiction's Ignition Interlock Program for purposes of determining prior program participation. The burden of supplying evidence of program participation and compliance relies solely on the program participant.

**Section 8. {Repealer Clause}**

The Act repeals previously enacted statutes and regulations to the extent that they are in conflict with any section of this Act and any regulations promulgated hereunder. The previously enacted inconsistent statutes and regulations shall be repealed only to the extent of the conflict with this Act and the regulations promulgated hereunder.

**Section 9. {Effective Date}**

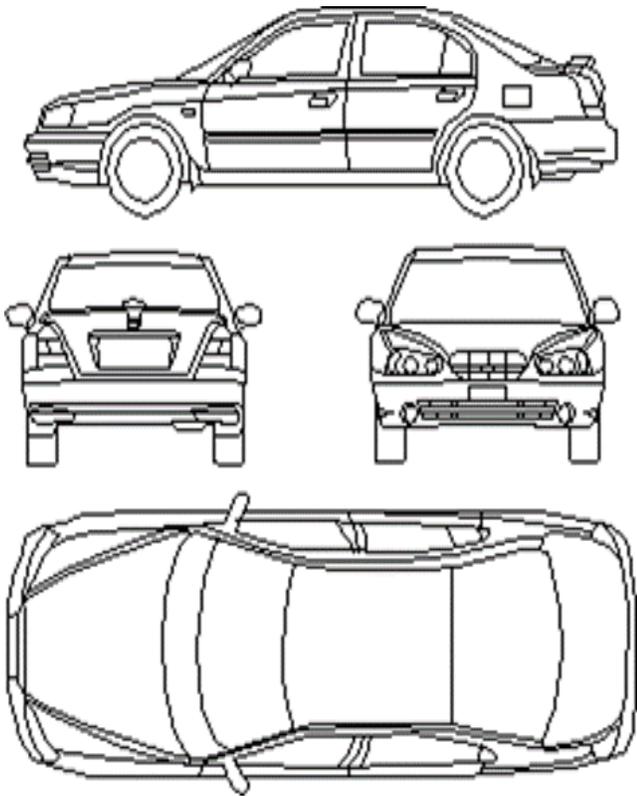
The sections of this Act shall be in full force and effect on and after [DATE].

## Appendix E Sample Pre/Post Inspection Checklist (Virginia)

The following vehicle inspection report is required to be completed by the ignition interlock service provider before and after ignition interlock installation and removal.

Last Name:		First Name:	
Make:	Model:	Year:	Odometer:
Plate #:	VIN:		
Battery Condition: <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor			

Pre Inspection				Post Inspection			
General	N/A	OK	Issue	N/A	OK	Issue	Comments
Wipers							
Brake Lights							
Flashers							
Plate Lights							
Head/Dash Lights Panel							
Warning Lamps							
Reverse Lights							
Turn Signals							
Interior	N/A	OK	Issue	N/A	OK	Issue	Comments
Gauges							
Radio							
12 Volt Socket							
Power Antenna							
Electric Seat Driver							
Electric Seat Passenger							
Electric Door Locks							
Electric Windows							
Navigation System							
Sunroof							
Convertible Roof							
Charging System							
Door Mirrors							
Horn							
Alarm System							
Stereo System							
Heating System							
Air Conditioning System							
Engine Light							
Remote Start							
Vehicle Wiring							



Additional Comments

Exterior Comments

Please mark any exterior issue on the diagram and specifically explain the issue in the adjoining “Exterior Comments” section. Once completed, it is mandatory that the technician and client sign the document and indicate service type as “installation” or “removal”.

\_\_\_\_\_  
Service Type

\_\_\_\_\_  
Pre-Install Initial

\_\_\_\_\_  
Post-Install Initial

\_\_\_\_\_  
Technician Signature

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

# Appendix F Washington State Patrol Compliance Check Door Hanger (English and Spanish)




**TO:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Washington State Patrol  
Ignition Interlock Compliance Notice**

The Washington State Patrol (WSP) Ignition Interlock Program monitors the use of ignition interlock devices throughout Washington State. Your interlock provider is required by law to report all violations to the WSP. Your provider has reported the following violations on your device(s):

- Test failure(s) (registering an alcohol level of .04 or more on startup and/or .02 or more on a random retest)
- Random retest refusal(s)
- Missing an interlock service appointment
- Tampering or circumvention of an interlock

The following has also been reported to the WSP:

- Your driving privilege is currently suspended or revoked.
- You are required to have an interlock device in any vehicle you drive, but there is no installation record on file with the Department of Licensing.

If there is a compliance-based removal requirement on your ignition interlock restriction, these failures may result in the extension of your restriction. Before having your device removed, work with your interlock service provider and the Department of Licensing to ensure your restriction has been satisfied.

Please contact the investigating officer below to discuss these matters:

3000-134-006 (R 1/22)




**Aviso de cumplimiento de bloqueo de encendido por el Washington State Patrol**

El Programa de Bloqueo de Encendido de Washington State Patrol (WSP) controla el uso de dispositivos de bloqueo de encendido en todo el estado de Washington. Conforme lo requiere la ley, su proveedor del sistema de bloqueo debe reportar todas las infracciones a WSP. Su proveedor ha reportado las siguientes infracciones en su dispositivo:

- Reprobación del control de alcoholemia (con un registro de .04 o más al arrancar o .02 o más en una nueva prueba tomada de manera aleatoria)
- Negativa para realizar nueva prueba aleatoria
- Incumplimiento de una cita del servicio de bloqueo.
- Manipulación o evasión del bloqueo

También se ha reportado a WSP lo siguiente:

- Su privilegio para conducir se encuentra actualmente suspendido o revocado.
- Usted debe tener un dispositivo de bloqueo de encendido en todo vehículo que conduzca, pero no hay ningún registro de instalación documentado en el Departamento de Licencias.

En caso de que exista un requisito de cumplimiento para quitar la restricción de bloqueo de encendido, estos casos de incumplimiento podrían ser motivo para que se extienda la restricción. Antes de que se quite su dispositivo, comuníquese con el proveedor del servicio de bloqueo y el Departamento de Licencias para asegurarse de haber dado cumplimiento a la restricción.

Si desea hacer alguna consulta, comuníquese con el oficial investigador mencionado al dorso.

3000-134-006 (R 1/22)

## Appendix G Model Ignition Interlock Service Reports

### **IGNITION INTERLOCK MECHANIC AFFIDAVIT**

A Mechanic Affidavit must be completed when a vehicle equipped with a certified ignition interlock device is serviced at a jurisdiction-licensed automotive repair or service facility. The purpose of this affidavit is to report that any violation(s) recorded by the ignition interlock device were incidental due to the work being performed.

<b>PARTICIPANT INFORMATION</b>				
Last Name:		First Name:		Middle Initial:
Driver's License State:		Driver's License Number:		
Street Address:				City:
State:	Postal Code:	Phone:	Email:	
<b>VEHICLE INFORMATION</b>				
Year:	Make:	Model:	VIN:	
License Plate:	Registration State:		Odometer at time of Service:	
Interlock Manufacturer Name:	Device Model:		Device Serial Number:	
<b>VEHICLE SERVICE</b>				
Name of Facility:			Name of Technician:	
City:	State:	Zip:		
Date of Service:	Time:	Service Completion Date:	Time:	
<b>SERVICE TECHNICIAN</b>				
I certify under penalty of perjury under the laws of the state of _____ that the foregoing information regarding this vehicle service is true and correct.				
First Name:			Last Name:	
Signature:			Date:	
Notes:				

Last Updated: 05/01/2023

## **IGNITION INTERLOCK SERVICE REPORT** **Installs/Removals/Vehicle Transfer**

Ignition Interlock reports required by jurisdictions vary widely in type and application. Standardization among jurisdictions is a best practice. Installation, removal and vehicle transfer reports should be provided within 24 hours of service(s). This form should be used for Ignition Interlock installs, removals and vehicle transfers only.

<b>PARTICIPANT INFORMATION</b>					
Last Name:		First Name:		Middle Initial:	
Driver's License State:		Driver's License Number:			
Street Address:				City:	
State:	Postal Code:	Phone:	Email:		
<b>SERVICE(S) PERFORMED (Please select all that apply)</b>					
<input type="checkbox"/> <b>Installation</b>		<input type="checkbox"/> <b>Transfer</b>		<input type="checkbox"/> <b>Removal</b>	
Date of Service:			Time of Service:		
<b>VEHICLE INFORMATION</b>					
Year:	Make:	Model:		VIN:	
License Plate:		Registration State:		Odometer at time of Service:	
<b>VEHICLE TRANSFER (Previous vehicle information)</b>					
Year:	Make:	Model:		VIN:	
Odometer at time of Service:			Reason for Transfer:		
<b>IGNITION INTERLOCK REQUIREMENT</b>					
Jurisdiction requiring device:			Duration of Restriction:		
Additional requirements (if applicable):					
<b>IGNITION INTERLOCK INFORMATION</b>					
Ignition Interlock Manufacturer Name:			Device Model:		
Device Serial Number:		Device Manufacturer (if different from above):			
Additional Device(s) and Serial Number(s):					
Service Center Name:			Street Address :		
Technician Name:			Certification Number (if applicable):		
Notes:					

Last Updated: 05/01/2023

# Appendix H AAMVA 2023 Ignition Interlock Working Group Roster

## CHAIR

**Ms. Angela Coleman\***  
*Executive Director*  
Commission on Virginia Alcohol Safety Action Program

## VICE CHAIR

**Lieutenant Jeffrey Leonard**  
Washington State Patrol

## MEMBERS

**Ms. Aliza Bardfield**  
*Motor Vehicle Program Supervisor 3*  
Pennsylvania Department of Transportation

**Captain Christopher Bauer**  
Kansas Highway Patrol

**Ms. Kecia Bivins\***  
*Director of Field Operations*  
Georgia Department of Driver Services

**Mr. Dominic Dickerson**  
*Ignition Interlock Device Program Coordinator*  
District of Columbia Department of Motor Vehicles

**Mr. Mitch Greenwell**  
*Attorney*  
Nebraska Department of Motor Vehicles

**Ms. Mary Lewis**  
*Operations Services Manager*  
Florida Department of Highway & Motor Vehicles

**Ms. Desiree Steele**  
*Management System Analyst*  
Kansas Division of Vehicles

**Ms. Stephanie Thomas**  
*Manager IV*  
California Department of Motor Vehicles

## PARTNERS

**Ms. Jennifer Huebner-Davidson**  
*Highway Safety Specialist*  
U.S. DOT/National Highway Traffic Safety Administration

**Mr. Darrin Grondel**  
*VP Governmental Relations and Traffic Safety*  
National Alliance to Stop Impaired Driving (NASID)

**Mr. Frank Harris**  
*State Legislative Affairs Manager*  
Mothers Against Drunk Driving (MADD)

**Sergeant Brandon Villanti**  
Washington State Patrol  
President, Association of Ignition Interlock Program Administrators (AIPPA)

## TECHNICAL ADVISORS

**Ms. Debra Coffey**  
*Vice President, Government Affairs*  
Smart Start, Inc.  
Board of Director, Coalition of Ignition Interlock Manufacturers (CIIM)

**Mr. Toby Taylor**  
*Vice President of Regulatory Compliance*  
Smart Start, Inc.

## AAMVA STAFF/PROJECT MANAGER

**Brian A Ursino\***  
*Director, Law Enforcement*  
AAMVA

## AAMVA STAFF

**Mr. Raza Alam**  
*Senior Business Analyst*  
AAMVA

**Jessica Ross\***  
*Driver License Compact and Reciprocity Program Director*  
AAMVA

\*Denotes also served on the FY2018 Ignition Interlock Working Group

## **OUR VISION**

*Safe drivers*

*Safe vehicles*

*Secure identities*

*Saving lives!*



### **American Association of Motor Vehicle Administrators**

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Arlington, Virginia 22203  
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