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### Ignition Interlock Information

#### Sources

Insurance Institute for Highway Safety  
P.I.R.E. Pacific Institute for Research and Evaluation  
WESTAT, Maryland research firm. First blind study, 1987 65% reduction  
NHTSA  
MADD  
National Commission Against Drunk Driving

#### Research and Facts about Ignition Interlock

3 out of 10 people will be involved in an alcohol related accident in their life.

40% of deaths in the US are alcohol related.

The average offender has driven between 200 and 2000 times before being caught.

High BAC offenders are responsible for between 58% of all highway crashes.

14% of intoxicated drivers in fatal crashes have a current suspended or revoked license

60% to 80% of drivers whose license was suspended for drunk driving continue to drive while suspended. (NHTSA)

14% of intoxicated drivers in fatal crashes have a current suspended or revoked license. (NHTSA)

The national average BAC (Breath Alcohol Concentration) is .15. (NHTSA)

Blowing repeated failures into an IID (Ignition Interlock Device) while on the program is an indication of high risk for recidivism after the device is removed. (PIRE)

“Each and every first offender should be assessed for alcohol problems and dependency, and sentencing alternatives such as legitimate treatment programs and ignition interlock technology should be available to the courts.” (National Commission against Drunk Driving)

“MADD supports laws that would require that offenders install these devices (ignition interlocks) on their vehicles during probationary periods and as a prerequisite to being issued a limited driving permit, a work permit or a probationary or restricted license, where such permits are permitted by law. (MADD)

In November of 2006 MADD announced a combined effort to increase the use of ignition interlocks by five-fold in the next five years. There are currently about 120,000 interlocks in service in the US. Supporters include; NHTSA, The Association of Automotive Manufacturers and the International Association of Chiefs of Police.

In 2003 New Mexico was listed as one of the top ten states for alcohol related deaths. In 2004 they mandated that all offenders would be required to have an IID (Ignition Interlock Device) installed on their vehicle. In 2006 they announced they had reduced alcohol related crashes by 20% and alcohol related deaths by 12%. They now are passing legislation to require any DUI offenders coming to New Mexico from another state to have an IID before receiving a New Mexico License.

In 2006 West Virginia made IID mandatory for repeat offenders and instituted a points program (West Virginia Alcohol Test and Lock Demerit System) that extends the program time for offenders who repeatedly fail the IID test. To date, they have issued over 400 additional months.

New York has created a charge of “Aggravated DWI” for those arrested with a BAC of .18 or above and requires one year of IID. They also will not allow the charge to be reduced unless it includes the IID.

Colorado, Washington and Maryland now have “High BAC First Offender” IID programs.

In 2005 Delaware was listed as one of the top ten states for alcohol related crashes. In July of 2007 they will begin the most comprehensive DUI program in the country. That program includes;

Mandatory 17 months IID for chemical test refusal.

Mandatory 17 months IID for first offense with BAC of .15 to .19.

Mandatory 23 months IID for first offense with BAC of .20 or higher.

Mandatory 12 months IID for second offense.

Mandatory 12 months for second offense with BAC of .15 to .19.

Mandatory 18 months IID for second offense with BAC of .20 or higher.

Mandatory 12 months IID for a third offense.

Mandatory 12 months IID for third offense with BAC of .15 to .19.

Mandatory 18 months IID for third offense with BAC of .15 to .19.

Mandatory 24 months IID for third offense with BAC of .20 or higher.

Mandatory 60 months IID for any offense over three.

A points program that will require offenders to stay on the program until they prove the device is no longer needed to.

A provision that a license will never be re-issued until the IID sanction has been fulfilled.

Pennsylvania has introduced Senate bill 679 which mirrors the program in Delaware.

### **In Conclusion**

These offenders are what is coming to be known as “professional drunk drivers”. They know that society has determined it too expensive to keep them in jail, and too expensive to do constant sobriety checks to catch them. They either pay the fines or avoid them, and keep on driving. They ignore the suspension or revocation and keep on driving. They keep killing our loved ones. We know there is no way we can stop them from drinking, we only wish to protect ourselves from them.

**Sec. 14-227a. Operation while under the influence of liquor or drug or while having an elevated blood alcohol content.** (a) **Operation while under the influence or while having an elevated blood alcohol content.** No person shall operate a motor vehicle while under the influence of intoxicating liquor or any drug or both. A person commits the offense of operating a motor vehicle while under the influence of intoxicating liquor or any drug or both if such person operates a motor vehicle (1) while under the influence of intoxicating liquor or any drug or both, or (2) while such person has an elevated blood alcohol content. For the purposes of this section, "elevated blood alcohol content" means a ratio of alcohol in the blood of such person that is eight-hundredths of one per cent or more of alcohol, by weight, "high blood alcohol content" means a ratio of alcohol in the blood of such person that is fifteen-hundredths of one percent or more of alcohol, by weight, and "motor vehicle" includes a snowmobile and all-terrain vehicle, as those terms are defined in section 14-379.

(g) **Penalties for operation while under the influence.** Any person who violates any provision of subsection (a) of this section shall: (1) For conviction of a first violation, (A) be fined not less than five hundred dollars or more than one thousand dollars, and (B) be (i) imprisoned not more than six months, forty-eight consecutive hours of which may not be suspended or reduced in any manner, or (ii) imprisoned not more than six months, with the execution of such sentence of imprisonment suspended entirely and a period of probation imposed requiring as a condition of such probation that such person perform one hundred hours of community service, as defined in section 14-227e, and (C) (i) have such person's motor vehicle operator's license or nonresident operating privilege suspended for one year, or (ii) if such person has been convicted of a violation of subdivision (1) of subsection (a) of this section on account of being under the influence of intoxicating liquor or of subdivision (2) of subsection (a) of this section, have such person's motor vehicle operator's license or nonresident operating privilege suspended for 30 days and be prohibited for a one-year period following completion of such period of suspension from operating a motor vehicle unless such motor vehicle is equipped with a functioning, approved ignition interlock device, as defined in section 14-227j, provided that if the conviction was for a high-blood alcohol content under subdivision (2) of subsection (a) of this section or the person refused to submit to a blood, breath or urine test requested in accordance with section 14-227b, the period of suspension shall be 45 days and the ignition interlock requirement will be for eighteen months; (2) for conviction of a second violation within ten years after a prior conviction for the same offense, (A) be fined not less than one thousand dollars or more than four thousand dollars, (B) be imprisoned not more than two years, one hundred twenty consecutive days of which may not be suspended or reduced in any manner, and sentenced to a period of probation requiring as a condition of such probation that such person perform one hundred hours of community service, as defined in section 14-227e, and (C) (i) have such person's motor vehicle operator's license or nonresident operating privilege suspended for three years or until the date of such person's twenty-first birthday, whichever is longer, or (ii) if such person has been convicted of a violation of subdivision (1) of subsection (a) of this section on account of being under the influence of intoxicating liquor or of subdivision (2) of subsection (a) of this section, have such person's motor vehicle operator's license or nonresident operating privilege suspended for one year and be prohibited for ~~the~~ two-year period following completion of such period of suspension from operating a motor vehicle unless such motor vehicle is equipped with a functioning, approved ignition interlock device, as defined in section 14-227j; and (3) for conviction of a third and subsequent violation within ten years after a prior conviction for the same offense, (A) be fined not less than two thousand dollars or more than eight thousand dollars, (B) be imprisoned not more than three years, one year of which may not be suspended or reduced in any manner, and sentenced to a period of probation requiring as a condition of such probation that such person perform one hundred hours of community service, as defined in section 14-227e, and (C) (i) have such person's motor vehicle operator's license or nonresident operating privilege permanently revoked upon such third offense, or (ii) if such person has been convicted of a violation of subdivision (1) of subsection (a) of this section on account of being under the influence of intoxicating liquor or of subdivision (2) of subsection (a) of this section, have such person's motor vehicle operator's license or nonresident operating privilege suspended for one

year and be prohibited for a three-year period following completion of such period of suspension from operating a motor vehicle unless such motor vehicle is equipped with a functioning, approved ignition interlock device, as defined in section 14-227j. For purposes of the imposition of penalties for a second or third and subsequent offense pursuant to this subsection, a conviction under the provisions of subsection (a) of this section in effect on October 1, 1981, or as amended thereafter, a conviction under the provisions of either subdivision (1) or (2) of subsection (a) of this section, a conviction under the provisions of section 53a-56b or 53a-60d or a conviction in any other state of any offense the essential elements of which are determined by the court to be substantially the same as subdivision (1) or (2) of subsection (a) of this section or section 53a-56b or 53a-60d, shall constitute a prior conviction for the same offense.

(i) **Installation of ignition interlock device.** (1) The Commissioner of Motor Vehicles shall not permit a person whose license has been suspended in accordance with the provisions of subparagraph (C)(ii) of subdivisions (1), (2), or (3) of subsection (g) of this section to operate a motor vehicle until (A) such person has served ~~not less than one year of such~~ the appropriate suspension, and (B) such person has installed an approved ignition interlock device in each motor vehicle owned or to be operated by such person. (2) If the court fails to order the installation of an approved ignition interlock device in accordance with subsection (g) of this section, the commissioner shall enforce the requirements relating to installation of an approved ignition interlock device. No person whose license is suspended by the commissioner for any other reason shall be eligible to operate a motor vehicle equipped with an approved ignition interlock device. ~~(3) The commissioner shall not remove the ignition interlock restriction from the person's license until the person has proven that they have utilized an approved ignition interlock device for the required period.~~ (4) All costs of installing and maintaining an ignition interlock device shall be borne by the person required to install such device. ~~(5) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this subsection. The regulations shall establish procedures for the approval of ignition interlock devices, for the proper calibration and maintenance of such devices and for the installation of such devices by any firm approved and authorized by the commissioner.~~ ~~(6) The provisions of this subsection shall not be construed to authorize the continued operation of a motor vehicle equipped with an ignition interlock device by any person whose operator's license or nonresident operating privilege is withdrawn, suspended or revoked for any other reason.~~ ~~(7) The provisions of this subsection shall apply to any person whose license has been suspended in accordance with the provisions of subparagraph (C)(ii) of subdivision (2) of subsection (g) of this section on or after September 1, 2003, and to any person whose license has been suspended in accordance with the provisions of subparagraph (C)(ii) of subdivision (2) or (3) of subsection (g) of this section on or after September 1, 2007.~~

## **Key Points of Suggested Ignition Interlock Legislation**

1. Create High Blood Alcohol Content definition of 0.15. Conforms CT to federal statute defining High BAC and would assist CT in meeting requirements for grants under 23 USC 410.
2. Require a 30 day hard suspension for first offense (alcohol limit under 0.15). Conforms CT to federal statute and would assist CT in meeting requirements for grants under 23 USC 410.
3. Mandate that offenders participate in the ignition interlock program as follows:
  - 1<sup>st</sup> offense (BAC under 0.15) 12 months
  - 1<sup>st</sup> offense (BAC 0.15+ or test refusal) 18 months
  - 2<sup>nd</sup> offense (BAC or test refusal) 24 months
  - 3<sup>rd</sup> and subsequent offense (BAC or test refusal) 36 months
4. Eliminate the opportunity for the offender to avoid the ignition interlock program waiting out the suspension period. Require DMV to enforce interlock in event court fails to order interlock as required by statute.