

# The Pennsylvania Ignition Interlock Program

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The Pennsylvania DUI Association



**PA**  
SAFETY  
SYMPOSIUM  
toward zero deaths

# PA DUI Association Headquarters



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# Ignition Interlock & the PA DUI Association

- In January of 2002, Penn DOT awarded a contract to the Pennsylvania DUI Association for the Pennsylvania Ignition Interlock Quality Assurance Program.
- The program oversees the quality assurance aspect of the ignition interlock devices approved and used in Pennsylvania, provides technical assistance to manufacturers, service providers and ignition interlock users; and ensures that ignition interlock manufacturers and service providers adhere to the Penn DOT specifications.



# Ignition Interlock Quality Assurance Program

- Compiles a directory of service providers
- Compiles statistics
- Monitors manufactures/service providers for compliance
- Provide technical assistance to Ignition Interlock clients and service providers
- Conducts quality assurance inspections of service providers/center
- Survey participating clients



# §3805: Ignition Interlock

- Each motor vehicle owned must be equipped with an ignition interlock system
- If there are no motor vehicles owned or registered individuals must so certify to the Department
- Offenders may no longer opt out of ignition interlock



# ACT 33 of 2016

effective 8/25/2017

## 75 Pa.C.S. § 3805 Ignition Interlock

Amends the existing ignition interlock statute (which previously applied only to second-time offenders) to require individuals who have violated §3802, 1547, or 3808(C) to comply with the following:



# ACT 33 of 2016

- Any motor vehicle operated by the individual must have ignition interlock.
- If no vehicles are owned or operated they must certify this to PennDOT
- This does not include persons who are subject to penalties under §3804(a)(1) and does not have a prior offense as defined in §3806.



# Ignition Interlock Limited License ACT 33 of 2016

## 75 Pa.C.S. § 1556

This newly created section applies to individuals who have been suspended for DUI under the following sections:

- a. 75 Pa.C.S. § 3802 (DUI)
- b. 75 Pa.C.S. § 1547 (Refusal)

Does not apply to first offense general impairment or those entering into ARD



# Suspension Eligibility (ACT33)

For violation of § 1547(b); Refusal

- serve six months of the suspension imposed or twelve months maximum suspension. (interlock still required for 12 months).
- § 1547(b)(1)(ii) serve nine months suspension or eighteen months maximum suspension. (II still required)



# Suspension Eligibility (ACT 33)

- For a suspension under §3804(e) (first offense) relating to DUI penalties, the individual is eligible for early interlock **immediately** , and must have the interlock on the vehicle for one year, or serve the twelve month hard suspension and will still be required to install an interlock device for twelve months.



# Act 33 of 2016

DUI OFFENSES					
OFFENSE	NUMBER	Suspension Length	Eligible for Early Interlock	When Eligible	INTERLOCK PERIOD
Gen Imp	First	NONE	N/A	N/A	N/A
	Second	12 Months	Yes	After 6 Months	1 Year
	Third or Subsequent	12 Months	Yes	After 6 Months	
High Rate Minor School/CDL Vehicles	First	12 Months	Yes	Immediately	1 Year
	Second	12 Months	Yes	After 6 Months	1 Year
	Third	18 Months	Yes	After 9 Months	1 Year
	Fourth or Subsequent	18 Months	Yes	After 9 Months	1 Year
Highest Rate Gen Imp -Refusal Controlled Substances	First	12 Months	Yes	Immediately	1 Year
	Second	18 Months	Yes	After 9 Months	1 Year
	Third or Subsequent	18 Months	Yes	After 9 Months	1 Year
ARD Offenses	N/A	N/A	NO	N/A	N/A
OTHER SUSPENSION OFFENSES					
OFFENSE	NUMBER	SUSPENSION LENGTH	ELIGIBLE FOR Early INTERLOCK	WHEN ELIGIBLE	INTERLOCK PERIOD
Refusal to Submit to Chemical Testing for Violation of 3802	First	12 Months	Yes	After 6 months	1 Year
	Second (or prior conviction for DUI)	18 Months	Yes	After 9 Months	1 Year
Ignition Interlock Violations under 3808	First	N/A	N/A	N/A	1 Year (from conviction)
	Second or Subsequent	1 Year	No	N/A	1 Year
Refusal to Submit to Chemical Testing for Violation of 1543(b)(1.1) or Ignition Interlock Violation of 3808(a)(2)	First	6 Months (If no suspension for 3802 imposed)	No	6 Months	1 Year
	Second or Subsequent	6 Months (If no suspension for 3802 imposed) <b>ILL Recalled</b>	No	6 Months	



# Applying for an Ignition Interlock System/License

- Restoration Requirement letter will be sent thirty days prior to eligibility
- An Ignition Interlock Application (DL3731) form will be included
- The customer will be directed to PADUI web-site, or will contact PADUI for a list of vendors in their area



# Ignition Interlock Process

- Offender makes appointment with Service Provider
- Completes Self Certification Form DL-21SC
- If applicable, checks for Hardship Exemption
- If applicable, completes Employment Exemption Affidavit
- Ignition Interlock Device installed on all owned/registered vehicles
- Offender receives Restricted License



# BUREAU OF DRIVER LICENSING

## Ignition Interlock (II) Device & License

### ➤ Ignition Interlock Requirements

- 2<sup>nd</sup> or subsequent DUI
- If vehicle(s) is owned, must install an II device for 1 year or longer.
- Must apply for an II restricted license – Valid 1 year from date of restoration
- Can only drive a vehicle that has II device installed
- Employment exemption, may operate a non-equipped employer owned vehicle for employment purposes only. Must have proof that the employer knows of the II status on a PennDot form signed by the employer..



# BUREAU OF DRIVER LICENSING

## Ignition Interlock (II) Device & License

### ➤ Required Maintenance

- Must keep appointments with II Vendor to download data from II device. Every 60 days ( first monitoring appointment must be within 30 days after the installation of the device).
- If an individual fails to keep appointment, tampers with or removes II device prior to the 1 year requirement, II license will be cancelled.
- To have the cancel removed, must comply with II Vendor's request for service or re-install II device.



# Exceptions to the Rule

- If no vehicle is owned, a DL21-SC form must be completed by the vendor and submitted to the Department of Transportation.



# BUREAU OF DRIVER LICENSING

## Ignition Interlock (II) License (continued)

### ➤ Extending II Period

- Failure to keep appointment with II Vendor
- Removal of II device prior to 1 year term
- Conviction for driving a vehicle without a II device
- New suspension during II period



# BUREAU OF DRIVER LICENSING

## Ignition Interlock (II) License (continued)

### ➤ Removing Device

- Notice and unrestricted license application is sent from Department 30 days prior to eligibility date
- Make application and pay required fee
- Make appointment to have II device removed
- II Vendor will only remove upon showing of unrestricted license



# Requirements for De-Installs under ACT 33

Ignition Interlocks are still required for one-year in order for the individual to be eligible for an unrestricted license.

In order to apply for and receive an unrestricted license the individual must do the following:

- Provide proof that the program has been completed

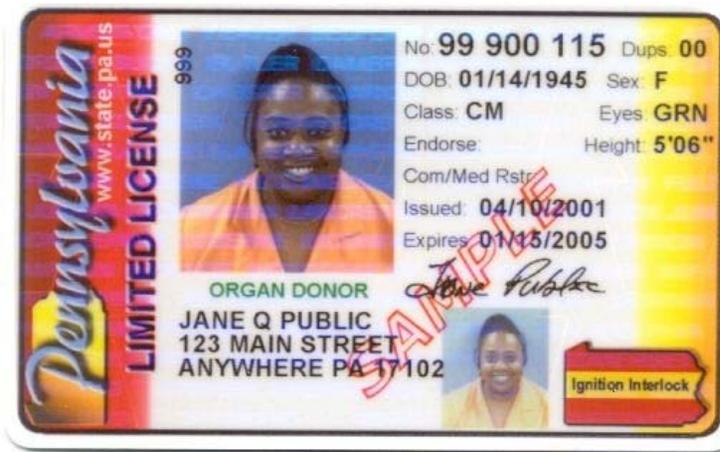


# Deinstalls under ACT 33

- Vendor provides certificate that during the last two months of the program there were no:
- attempts to start the vehicle with BrAC at or above .08%
- failures to take or pass a re-test
- failure to report for calibration, repair, monitoring, or inspection.



# Pennsylvania Drivers Licenses : Unrestricted VS Restricted License Notice Any Differences?



# Bureau of Driver Licensing

- If no eligibility date is listed on the restoration letter the individual has not fulfilled their restoration requirements, including:
- Treatment Mandate (Act 122)
- Jail Credit (Act 151)



# Occupational Limited License and Ignition Interlock

- An individual whose license has been suspended for a period of 18 months under section 3802(c) may be eligible for an OLL by serving a twelve month hard suspension and installing an ignition interlock device for the remaining six months.



# BUREAU OF DRIVER LICENSING

## Ignition Interlock Non-Compliance/Compliance Form DL-373

<b>B</b>	<b>VIOLATION INFORMATION (Please Check One)</b>
<input type="checkbox"/>	88.103(a) Driver has failed to make their vehicle(s) available for maintenance. _____ <i>Missed Maintenance Date</i> Date(s) vendor contacted customer regarding missed maintenance. _____ <i>Date(s)</i>
<input type="checkbox"/>	88.103(b) Driver has purchased a vehicle and has failed to have ignition interlock installed on said vehicle. _____ <i>Purchase Date of Vehicle</i>
<input type="checkbox"/>	88.104(b) Driver has requested an unauthorized removal of ignition interlock prior to eligibility date. <input type="checkbox"/> Device was removed on _____ <i>Date</i> <input type="checkbox"/> Vehicle inoperable (proof attached) <input type="checkbox"/> Changed Vendor _____ <i>New Vendor</i> <input type="checkbox"/> Sold Vehicle (proof attached) <input type="checkbox"/> Other _____ <i>Must List Reason</i>

Updated the form to include why the unauthorized removal was requested.



# What is Ignition Interlock?

- An Ignition interlock is a device that is installed into a motor vehicle to prohibit individuals under the influence of alcohol from starting the vehicle.



# What types of vehicles can utilize this lifesaving technology?

- **ANY** vehicle owned by an individual with multiple offenses in the Commonwealth
- **Motorcycles, RV's**



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# PA Ignition Interlock Providers

- Alcolock of PA
- Alcohol Detection Systems, Inc.
- Blow and Drive (BDI) Interlock Services
- Draeger Interlock
- Guardian Interlock
- Interlock of Pennsylvania
- Intoxalock (CST)
- Low Cost Interlock Services (LCI)
- Smart Start
- \*Allegheny County Ignition Interlock Services
- \*Dauphin County Ignition Interlock Services



# What Does an Ignition Interlock Device Look Like?



Intoxalock  
(Blow Inhale Blow)



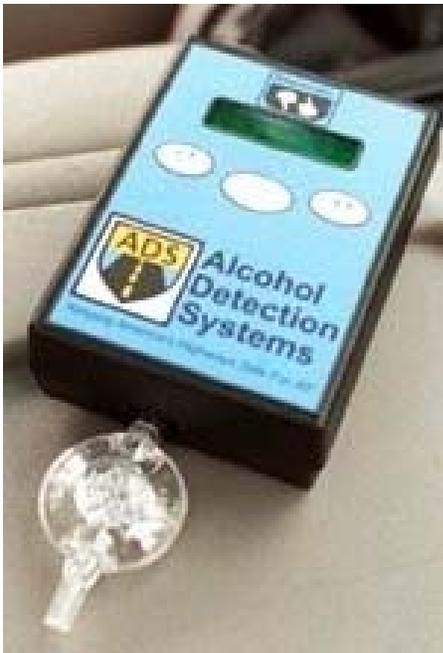
Smart Start &  
Allegheny County  
(Blow and Hum)



Alcolock GR  
Wireless  
(Blow then Hum)



Draeger Interlock  
(Blow then sharp Inhale)



Alcohol Detection  
Systems  
(Blow-Suck-Hum)



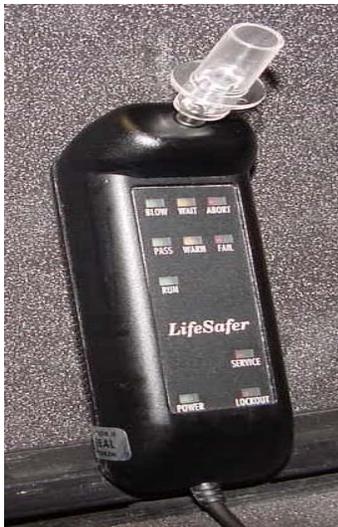
Guardian Interlock  
(Blow the Suck)



Interlock of PA  
(Short blow, Suck,  
Long blow)



Low Cost  
Interlock  
(Straight Blow)



Dauphin  
County  
("Doooooooo")



Blow and Drive  
(Straight Blow)

# How the device works:

- Based on NHTSA guidelines
- The device indicates the results of the breath test thru pass/fail signals (No BAC Display)
- If pass, allows 3 minutes to start car and allows a 3 minute sample free restart period in case of a stall



## How the device works:

- A driver must blow a breath sample ( $\approx 1.5\text{L}$ ) into the mouthpiece to start the vehicle
- The device analyzes and measures the breath sample for alcohol concentration
- If alcohol is detected and exceeds  $0.025\text{mg}$ , the device will not allow the vehicle's engine to start



## How the device works:

- The device is capable of random retesting during the operation of the vehicle (intervals of 5-15-45 minutes)
- The device is capable of detecting circumvention attempts (shorting of device) and preventing bogus or filtered air sample (air compressors or balloons)

# How the device works

- Device enters into early recall requiring service when:
  - 1 running retest violation
  - 1 event of tampering
  - 1 illegal start violation
  - 3 High BACs
  - 90% full data logger memory



# How the device works:

## Ignition Lockouts

- Initial lockout due to breath alcohol of .025 or more = 5 minutes
- Subsequent lockouts = 30 minutes
- 3 consecutive lockouts = Permanent Lockout and must be reset by service provider



# How the device works:

- The device can record up to 4000 events in the data logger (breath tests, engine on/off, violations ,...)

(See example Data Logger)

The device is required to be re-calibrated in the first 30 days, then every 60 days



# Sample Data Logger

## 02-10-2010

9:39:05 PM Car Restart

9:40:33 PM Car Stop

9:46:05 PM PASSED: BAC=.000 PK=-15 BL=-18 AT=28.8C BT=33. 1C RV=50 T=1.85s

9:46:10 PM Car Start

9:50:54 PM Car Stop

## 02-11-2010

3:32:24 PM FAILED: BAC=.038 PK=172 BL=-12 AT=14.6C BT=29.0C RV=51 T=10.57s

7:52:05 PM Invalid sample – pressure

7:52:45 PM FAILED: BAC=.031 PK=149 BL=-1 AT=10.7C BT=29.9C RV=50 T=9.93s



# Sample Data Logger

## 02-13-2010

2:09:12 AM PASSED: BAC=.000 PK=-1 BL=-6 AT=3.2C BT=26.6C RV=51 T=2.01s

2:09:20 AM Car Start

2:12:49 AM Car Stop

2:15:03 AM Car Restart

2:15:16 AM REJECTED: Too Soft (MN=42 AN=0 Q1=11 HC=0 SC=0 Q2=0)

## 02-17-2010

1:15:11 AM Car Stop On Retest

1:21:22 AM PASSED: BAC=.000 PK=33 BL=-11 AT=11.6C BT=30.0C RV=5- T=10.81s

1:21:27 AM Car Start

1:26:59 AM RETEST-PASSED: BAC=.000 PK=31 BL=-6 AT=13.4C BT=31.5C RV=50 T=7.77s

1:37:21 AM Car Stop

4:22:36 AM FAILED: BAC=.173 PK=833 BL=-9 AT=7.1C BT=27.6C RV=50 T=11.13s



## §3808 (a)(1): Penalties

- Illegally operating without an interlock system:
  - ✓ Misdemeanor Offense
  - ✓ Sliding fine \$300 to \$1000
  - ✓ Up to 90 days incarceration



## § 3808 (a) (2): Penalties

- Illegally operating without an interlock system .025% BAC and or controlled substance:
  - ✓ 3<sup>rd</sup> Degree Misdemeanor
  - ✓ \$1000 fine
  - ✓ Minimum 90 days incarceration



## §3808 (b): Penalties cont'd

- Tampering with an interlock system:
  - ✓ 3<sup>rd</sup> Degree Misdemeanor
  - ✓ Sliding fine \$300 to \$1000
  - ✓ Up to 90 days incarceration

## §3808: Penalties cont'd

- License Consequences for Non-compliance of §3805:
  - ✓ 1<sup>st</sup> conviction results in one year extension of the ignition interlock program from the date of conviction
  - ✓ 2<sup>nd</sup> conviction during the same interlock period results in a one year license suspension and a year of ignition interlock



# Non-Compliance

## **Service Provider notifies BDL when:**

- Driver has failed to make vehicle(s) available for maintenance
- Driver has purchased a vehicle and did not get device installed
- Driver requested an unauthorized removal of device



# Non Compliance Report

- Form DL – 373
- Sent by Service Provider to BDL
- Violation Information
  - Driver has failed to make vehicle(s) available for maintenance
  - Driver has purchased a vehicle and did not get device installed
  - Driver requested an unauthorized removal of device



# Circumvention Examples

- Having a sober passenger blow into device.
- Family, friend or another passenger
- Using some form of supplemental air.
  - Blowing into balloon before drinking
  - Air compressor
  - Compressed air cans

# Circumvention Examples

- Removal of device by client.
- Insertion of toggle/relay switches.
- Compression Starting a vehicle.
  - (“Bump Starting” “Popping the clutch”)

# Example of Circumvention (Client Removal)



# Examples of clients bypassing the device (Inserting a Toggle Switch)



# Circumvention Notification

- Service Provider discovers attempt to tamper or circumvent device. Sends Information to PA DUI Assoc.
- Information on tamper provided to the Department of Transportation
- Department of Transportation sends documents to DA in county of conviction



## Installs by County

2015

<b>Adams</b>	<b>97</b>
<b>Allegheny</b>	<b>524</b>
<b>Armstrong</b>	<b>36</b>
<b>Beaver</b>	<b>75</b>
<b>Bedford</b>	<b>22</b>
<b>Berks</b>	<b>151</b>
<b>Blair</b>	<b>71</b>
<b>Bradford</b>	<b>31</b>
<b>Bucks</b>	<b>341</b>
<b>Butler</b>	<b>115</b>
<b>Cambria</b>	<b>56</b>
<b>Cameron</b>	<b>3</b>
<b>Carbon</b>	<b>21</b>
<b>Centre</b>	<b>62</b>
<b>Chester</b>	<b>247</b>
<b>Clarion</b>	<b>24</b>
<b>Clearfield</b>	<b>38</b>
<b>Clinton</b>	<b>24</b>
<b>Columbia</b>	<b>23</b>
<b>Crawford</b>	<b>39</b>
<b>Cumberland</b>	<b>207</b>
<b>Dauphin</b>	<b>186</b>
<b>Delaware</b>	<b>163</b>
<b>Elk</b>	<b>14</b>
<b>Erie</b>	<b>99</b>
<b>Fayette</b>	<b>63</b>
<b>Forest</b>	<b>3</b>
<b>Franklin</b>	<b>101</b>
<b>Fulton</b>	<b>12</b>
<b>Greene</b>	<b>22</b>
<b>Huntington</b>	<b>33</b>
<b>Indiana</b>	<b>40</b>
<b>Jefferson</b>	<b>21</b>
<b>Juniata</b>	<b>9</b>

<b>Lackawanna</b>	<b>59</b>
<b>Lancaster</b>	<b>201</b>
<b>Lawrence</b>	<b>29</b>
<b>Lebanon</b>	<b>51</b>
<b>Lehigh</b>	<b>174</b>
<b>Luzerne</b>	<b>94</b>
<b>Lycoming</b>	<b>60</b>
<b>McKean</b>	<b>23</b>
<b>Mercer</b>	<b>64</b>
<b>Mifflin</b>	<b>32</b>
<b>Monroe</b>	<b>97</b>
<b>Montgomery</b>	<b>311</b>
<b>Montour</b>	<b>6</b>
<b>Northampton</b>	<b>171</b>
<b>Northumberland</b>	<b>28</b>
<b>Perry</b>	<b>18</b>
<b>Philadelphia</b>	<b>163</b>
<b>Pike</b>	<b>17</b>
<b>Potter</b>	<b>6</b>
<b>Schuylkill</b>	<b>62</b>
<b>Snyder</b>	<b>27</b>
<b>Somerset</b>	<b>25</b>
<b>Sullivan</b>	<b>2</b>
<b>Susquehanna</b>	<b>11</b>
<b>Tioga</b>	<b>26</b>
<b>Union</b>	<b>16</b>
<b>Venango</b>	<b>16</b>
<b>Warren</b>	<b>18</b>
<b>Washington</b>	<b>84</b>
<b>Wayne</b>	<b>14</b>
<b>Westmoreland</b>	<b>135</b>
<b>Wyoming</b>	<b>17</b>
<b>York</b>	<b>338</b>
<b>Out of State</b>	<b>100</b>

**Total 5468**

## Installs by County Jan. - July 2016

Adams	46
Allegheny	408
Armstrong	26
Beaver	41
Bedford	12
Berks	98
Blair	46
Bradford	25
Bucks	214
Butler	69
Cambria	33
Cameron	1
Carbon	21
Centre	48
Chester	146
Clarion	14
Clearfield	20
Clinton	16
Columbia	17
Crawford	30
Cumberland	103
Dauphin	89
Delaware	114
Elk	10
Erie	51
Fayette	32
Forest	5
Franklin	67
Fulton	2
Greene	6
Huntington	18
Indiana	26
Jefferson	10
Juniata	4

Lackawanna	30
Lancaster	118
Lawrence	18
Lebanon	29
Lehigh	115
Luzerne	69
Lycoming	41
McKean	13
Mercer	25
Mifflin	12
Monroe	60
Montgomery	200
Montour	6
Northampton	108
Northumberland	30
Perry	22
Philadelphia	84
Pike	10
Potter	6
Schuylkill	40
Snyder	13
Somerset	25
Sullivan	2
Susquehanna	10
Tioga	8
Union	7
Venango	13
Warren	11
Washington	78
Wayne	6
Westmoreland	109
Wyoming	19
York	215
Out of State	21

**Total 3441**

# January – December 2015 Ignition Interlock Statistics

❖ Total Number of Devices Installed

**5,468**

❖ Total Number of Sober Miles Driven

**56,386,811**

❖ Total Numbers of Tests Taken

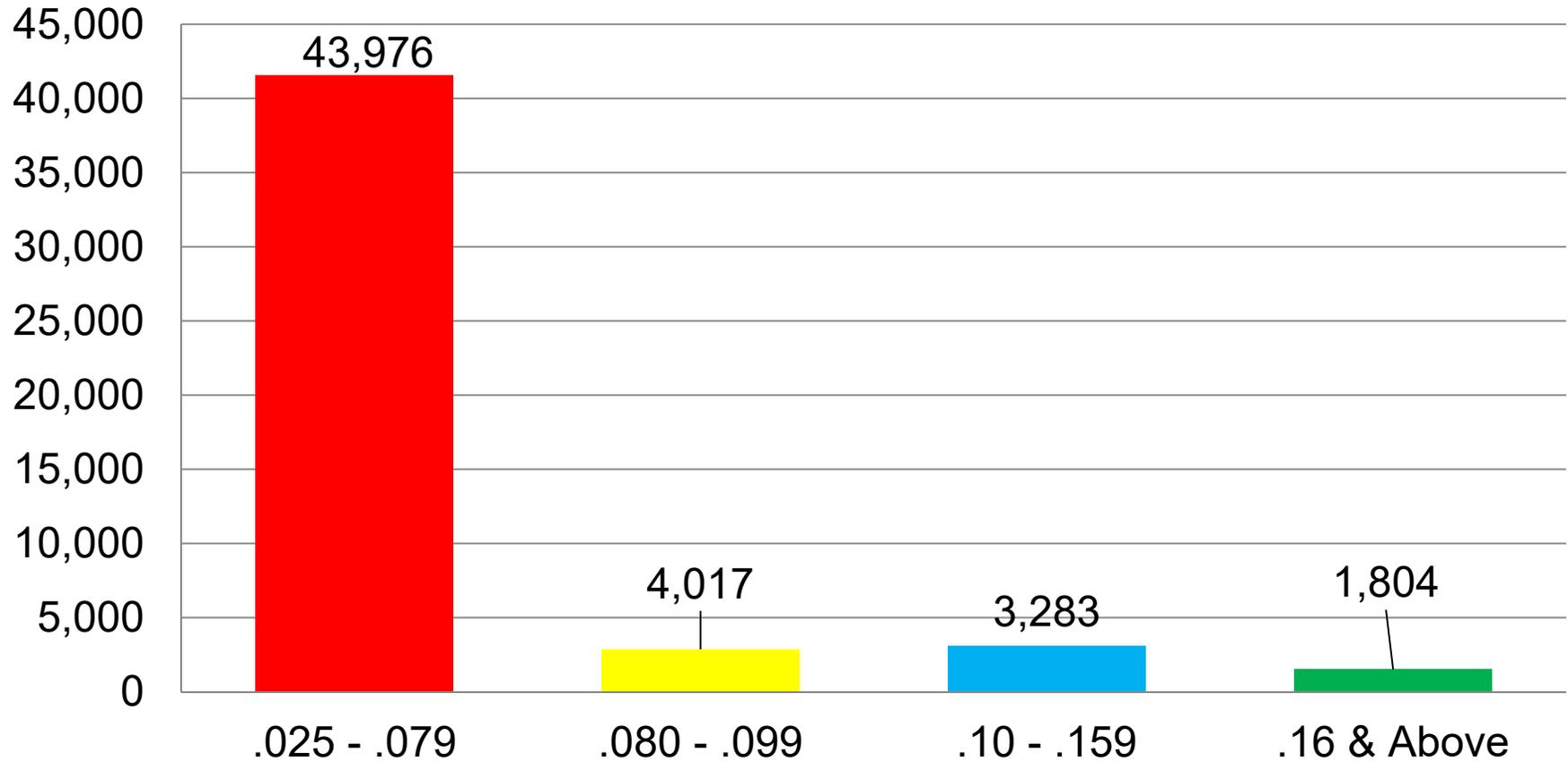
**14,360,001**

❖ Total Number of Failed Samples Provided

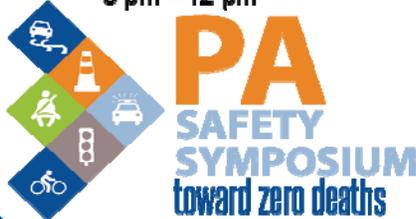
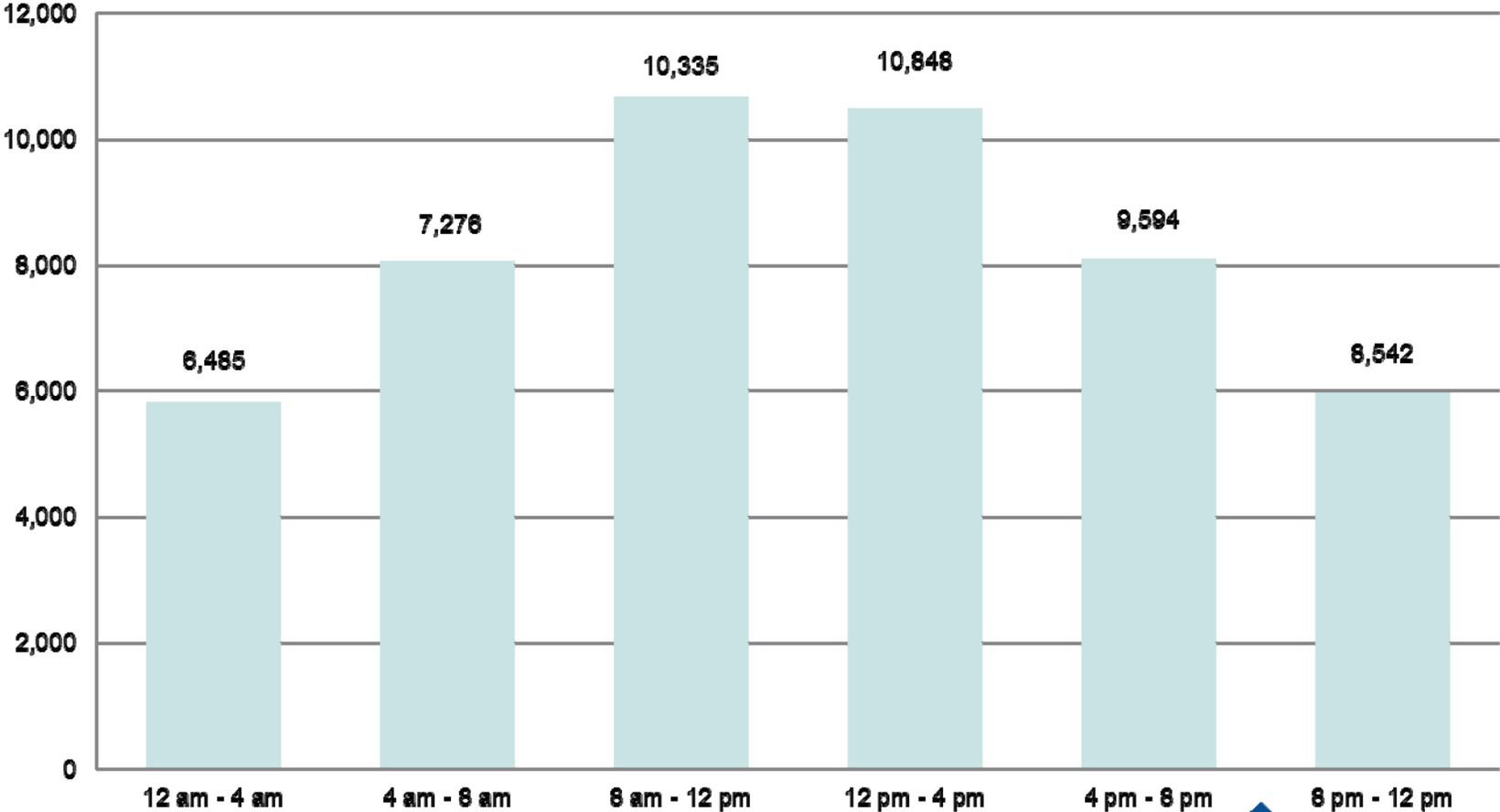
**53,080**



# BAC Levels



# Time of Tests Taken



# Why Ignition Interlock

- **50-75 % OF CONVICTED DRUNK DRIVERS WILL CONTINUE TO DRIVE EVEN ON A SUSPENDED LICENSE**
  - \* Mothers Against Drunk Driving, February 10, 2016.
- **AN AVERAGE DRUNK DRIVER HAS DRIVEN DRUNK OVER 80 TIMES BEFORE FIRST ARREST**
  - \*Arrest data: Federal Bureau of Investigation, "Crime in the United States: 2014"



# PA Ignition Interlock QAP Staff

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