
Ignition Interlock and Strengthened DWI Penalties Talking Points

Minnesota Impaired Driving Facts

- On average during the last five years in Minnesota, alcohol-related crashes accounted for 170 deaths and 400 serious injuries. Alcohol-related deaths represent more than one-third of the state's traffic fatalities annually.
- More than 30,000 people are arrested for DWI each year. One in seven Minnesota drivers has a DWI on record.
- Young adult males are the biggest DWI offenders, annually representing 75 percent of all DWI offenders and 80 percent of alcohol-related traffic deaths.
- The majority of impaired driving offenders are first-time offenders. In 2010, 17,482 (58 percent of all violators) were issued a first DWI. Still, many offenses are committed by prior DWI offenders. In 2010, 12,436 (42 percent) of violators had prior DWIs on record.
- Each year, 60 percent of alcohol-related fatalities in Minnesota are caused by first-time DWI offenders. Interlocks will help to deter these potential offenders from offending, resulting in reduced alcohol-related traffic deaths.

Ignition Interlock Background

Ignition interlock is a tool that can save lives on Minnesota roads and provide a pathway for legal driving by DWI offenders.

Users of ignition interlock must provide a breath sample into the interlock device in order to drive. If the user's alcohol-concentration level is 0.02 or higher, the vehicle will not start. Upon passing the test, the user can start their vehicle.

All tests are recorded by an in-car camera. Video and test results are provided to the Minnesota Department of Public Safety Driver and Vehicle Services Division for monitoring.

- Interlocks have anti-circumvention features, such as rolling retests that require a driver to blow into the device 3-5 minutes after starting, and randomly thereafter. There are also specific hum or "suck back" patterns to prevent users from attempting to circumvent the testing process and cameras.
- Breath samples of a 0.02 alcohol-concentration level or above will not allow the car to start.
- Monthly calibrations are required where information is downloaded from the device and sent to Driver and Vehicle Services. Two failures for alcohol will require early recall for calibration and information download.
- State-certified interlock vendors have installation locations across the state — making interlocks accessible for all potential users.

Strengthened DWI Sanctions and Interlock Law — Effective July 1, 2011

This law gets tougher on Minnesota DWI offenders by lengthening revocation periods and requiring interlock devices for an offender to regain driving privileges.

Interlocks

- First time DWI offenders with a 0.16 and above alcohol-concentration level and second-time DWI offenders will be required to use ignition interlocks or not have driving privileges ranging from one to two years — depending on offense level.
- DWI offenders with three or more offenses in a 10-year period will be required to use ignition interlocks for a period of three to six years – depending on offense level.
- Interlocks will be required for chronic DWI offenders (three or more DWIs in a 10-year period) to monitor alcohol use.
- Interlock users will regain full or limited driving privileges immediately after the offense, ensuring they are driving with a valid license and not a threat on the roadway.

DWI Penalties and License Revocations

- The alcohol-concentration level when enhanced administrative sanctions are applied is lowered from 0.20 percent to 0.16. The average level for a DWI arrest is 0.15 percent.
- The time-periods for loss of driving privileges will double for many DWI offenders, but offenders that install ignition interlock will be able to drive immediately.

Benefits

- Safer roads and reduced costs to society through reducing re-offense and impaired driving episodes. Impaired driving is very costly to the courts, law enforcement, county and state probation, and all costs associated with a traffic crash. It will also reduce the cost to the user since a DWI arrest is very costly.
- Creates a method for all offenders to obtain a valid driver's license — addressing the epidemic of people driving without a valid license.
- Encourages behavior modification and rehabilitation.
- Diminishes the probability and possibility of repeat DWI. The Pacific Institute for Research and Evaluation reports interlock devices can reduce repeat DWI offenses on average 64 percent.
- In the United States, 32 states have enacted an ignition interlock for first-time DWI offenders.

Talking Points

The new Ignition Interlock law demonstrates Minnesota is getting tougher on drunk drivers — if you're arrested for first-time DWI at 0.16 or above or for a repeat DWI, you will need to have an interlock installed to be able to drive.

This law also underscores that Minnesotans won't stand for hundreds of traffic deaths and injuries a year as a result of alcohol-related crashes.

The requirement of an interlock device is a significant consequence/penalty that will prevent impaired driving. A major problem today is that arrested DWI offenders continue to drive after their arrest — a very unsafe and illegal situation. Interlocks allow DWI offenders to regain driving privileges and ensure they are driving safely and legally.

Interlocks have anti-circumvention features to prevent users from cheating the system — rolling re-tests every five minutes, specific hum/suck back patterns, as well as cameras that record the driver's use of the device. *Monthly calibrations are required where information is downloaded from the device and sent to Driver and Vehicle Services. Two failures for alcohol will require early recall for calibration and information download.*

Some offenders will always attempt to circumvent the system, such as driving a vehicle not equipped with an interlock. Such offenders will face a misdemeanor violation that includes stiff penalties with fines up to \$1,000.

Interlocks are another tool that can be used to reduce impaired driving. As a result, this law will effectively reduce impaired driving and make roads safer. While at the same time, interlocks benefit those arrested so they can continue with their lives, and most importantly, drive safely and sober.

Interlocks are cost-effective for users (\$3-4 a day or \$100/month), especially when compared to the costs and consequences of another DWI. Also, there are special price breaks for those economically disadvantaged. Research indicates that for every dollar spent on ignition interlock there is a cost savings of 3-7 dollars to the state. *This applies to the costs for everything associated with a DWI in the state — emergency personnel, courts and the state.*

A first-time DWI offender with an alcohol concentration level 0.16 or above who elects not to use an interlock will have a one-year period without a license. Depending on the offense level, revocation periods can last up to six years.

Impaired drivers continue to plague Minnesota roads and cause death and tragedy. Tougher restrictions and embracing interlock technology is necessary to step up the fight against this illegal and dangerous behavior.

What is an ignition interlock?

An interlock is a small device that is installed under the dashboard of a vehicle and attached to the ignition. Interlocks are used to prevent a vehicle from starting if the device detects an alcohol-concentration level of 0.02 or above after the driver blows into its tube.

How effective are interlocks?

Research from the Pacific Institute for Research and Evaluation reports interlock devices can reduce repeat DWI offenses by on average of 64 percent while it is installed. However, once the device is removed, re-offense rates return to the level of those that never installed ignition interlock. Therefore, ignition interlock should be coupled by an effective long-term behavior changing program. In the United States, 32 states have implemented interlock requirements for first-time DWI offenders.

How long does a DWI offender need to drive with an interlock installed?

The time period to drive with an interlock depends on a user's offense level. With interlock installed a DWI offender regains full driving privileges. As an example, a first-time offender who was arrested at over 0.16 would need interlock for one year. Time periods on interlock may be extended if user tries to start vehicle after drinking alcohol.

How is interlock use monitored?

Users are required to have the interlock calibrated once a month — by taking their vehicle to a service provider. Providers run a report on the interlock use that indicates how many times the vehicle started, the number of rolling re-tests, and any test fails (an alcohol-concentration limit of 0.02 or above). Service providers send the reports to DPS for review to take appropriate action or extend sanctions.

Would a DWI offender need interlocks installed on all their vehicles/families' vehicles?

DWI offenders need to have an interlock installed on any vehicle they plan to drive. If stopped by law enforcement while driving a vehicle not equipped with interlock, the offender will face a misdemeanor that can cost up to \$1,000. Family members or others that also drive the vehicle(s) with interlock installed would need to blow into the interlock to start the vehicle as well.

Could a friend or family member help start the interlock user's vehicle by blowing into the interlock?

Yes, this is possible. However, interlock devices include advanced deterrents to prevent this. All devices call for rolling re-tests after the vehicle is started so the user must blow into the device during their trip (ideally when safely pulled over). Devices also require specific humming/blowing patterns to make it difficult for others to start the vehicle.

What is the cost for a DWI offender to use interlock?

About \$100 a month (\$3-4 a day, roughly the same as public transportation).

What if I choose not to have an interlock installed?

DWI offenders that choose not to have an interlock device installed would not have full driving privileges for an extended time period, based on their offense level. *See the Interlock One-Pager for details for all offenses.*