

Locked Out!



Today's ignition interlock systems, along with better monitoring and stricter penalties, are making our roads safer.

BY ANNE TEIGEN

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Drunk drivers continue to be a major safety threat on America's roadways. Despite myriad efforts by state, federal and local governments, along with improvements in vehicle technology, about 10,000 people die every year on the nation's roads and highways because people who have been drinking choose to drive.

Although the proportion of traffic fatalities caused by intoxicated drivers has decreased from more than half of all crashes in 1986 to just a third in 2014, 1 in 8 people surveyed by AAA in 2014 admitted to driving even when they thought their blood alcohol content (BAC) was over the legal limit. Indeed, approximately 1 million impaired drivers are convicted annually in the United States.

Recognizing the dangers of impaired driving, state legislators have continued not only to refine state laws and programs, but also to embrace technology that can help limit repeat offenses by convicted drunken drivers.

One now-widespread technological option is the ignition interlock. Interlock devices connect to a car's starter system and do not allow the car to start if a preset level of alcohol—typically well below the illegal level of .08—is detected in the driver's breath. Along with public awareness campaigns, the devices have been effective in preventing drunken driving by repeat offenders. Use of ignition inter-

locks can reduce the rate of re-arrests for driving under the influence by up to 70 percent, according to a 2014 Government Accountability Office report. "Taking a license away from offenders does not keep them from driving in general, and it certainly does not stop them from driving drunk. Installing a device that won't let them start their car, on the other hand, does both..." says Alabama Representative Allen Farley (R).



Alabama Representative Allen Farley

New and Improved

Today's ignition interlocks are not the same as the ones used 30 years ago, however. The old systems often mistook cigarette smoke, perfume and breath-fresheners for alcohol, resulting in many false pos-

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itives. They also showed a wide variation of readings and had a short life span.

Research and development have improved the reliability of the devices, which now use fuel cell units calibrated to be more accurate and consistent. The devices are smaller, more affordable and less susceptible to tampering. All new devices require periodic retesting while the car is running to ensure that the driver is not drinking once the car is started, and many are also equipped with cameras to verify that the right person is targeted.

States Drive Safety

California was the first state to establish an ignition interlock program when lawmakers passed the Farr-Davis Safety Act of 1986, authorizing the use of interlocks as a condition of DUI probation. In the 30 years since that four-county pilot program and its 584 probationers began, the effort to combat drunken driving has grown to include all 50 states with the help of ignition interlock technology.

Lawmakers nationwide have passed legislation allowing or requiring the use of interlock devices for certain drunken

driving offenses. Twenty-five states require or strongly encourage all convicted drunken driving offenders, including first offenders, to have interlock devices installed. Alabama, Delaware, Mississippi and New Hampshire passed mandatory-use requirements for first-time offenders in 2014; Arkansas and Texas enacted legislation in 2015. And California's four-county program was recently extended.

Other states require only repeat offenders or drivers who were arrested with a high BAC to have the devices installed in their vehicles. And some states allow judicial discretion in requiring interlocks. The length of time a device must be in a vehicle varies from three months to two years.

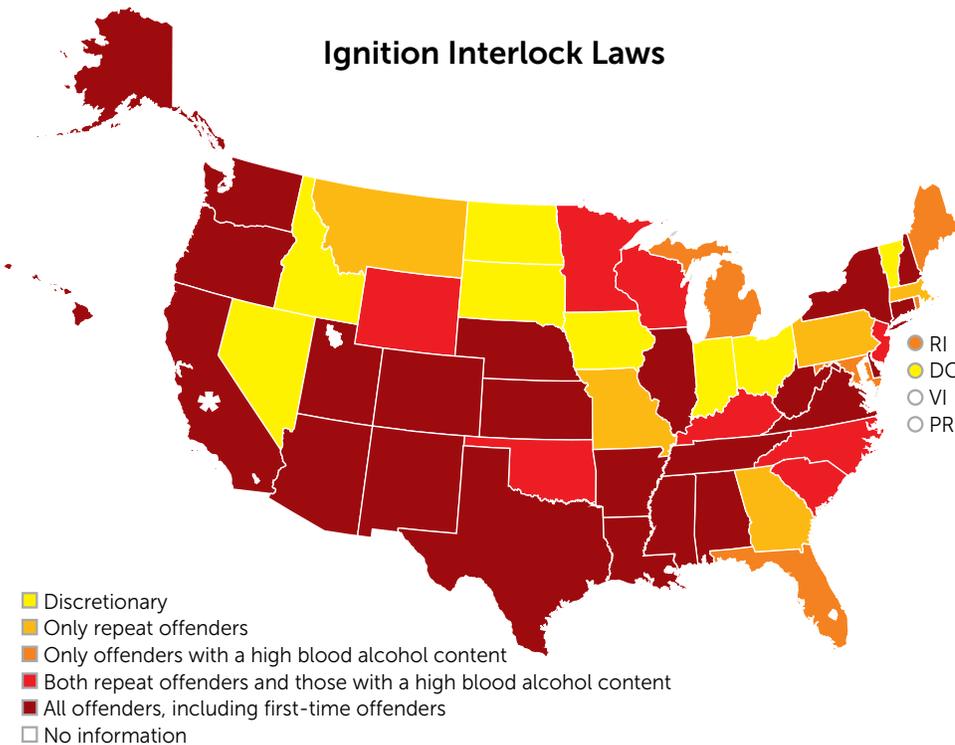
Requirements Versus Reality

Now that all states have passed ignition interlock laws, the focus has switched to concerns about how well the laws are carried out. There are discrepancies between the number of people required to install the devices and the number of interlocks actually installed.

The 2014 GAO report noted that the percentage of offenders who actually



Ignition Interlock Laws



* Note: In four California counties, a pilot program requires all convicted drunken drivers to install devices. In the state's other counties installation is at the court's discretion.

install an interlock when ordered to is low. The ratio of currently installed interlocks to impaired driving convictions is about 32 percent. Some of this difference can be explained by the fact that only half the states require installations for all convicted drunken drivers, including first-timers. But another factor is a lack of resources to ensure that offenders have interlocks installed shortly after conviction.

Many court systems or state motor vehicle departments simply lack the resources necessary to enforce the use of interlock systems consistently. Some states require offenders to pay fees or penalties to be eligible to install ignition interlocks; but many drivers who cannot afford them simply do not have them installed. Other states require a year-long license suspension before an offender is eligible to install an interlock, but when drivers learn there is little risk in being caught driving with a suspended license, many never install the interlock.

A recent report by the Centers for Disease Control and Prevention and the National Highway Traffic Safety Adminis-



The CDC report also found that strong and swift penalties are effective for offenders who skip out on installing required devices. If a driver is caught driving without an interlock in Kansas, for example, the entire interlock suspension period starts over. Maryland imposes criminal sanctions—home monitoring or jail time—if an offender is caught driving a vehicle not equipped with an interlock. In Michigan, an offender’s car can be impounded if the interlock is not installed.

Creating Consequences

When interlock programs started, there were no consequences for offenders who tried to start their cars after they had been drinking. Along with ignoring requirements to install the systems, offenders also found ways to manipulate the devices to get around their use. Interlock lockouts and circumventions of the systems were rarely punished.

Many states are moving toward more comprehensive monitoring. Washington requires offenders who want to restore their full license privileges to install interlocks and use them for the required time period and to complete the final four months without violations, as certified by the interlock vendors.

New Hampshire provisions require an offender to go 120 days with no reported fails on the interlock before the device can be removed. Offenders in Vermont will get three months added to their interlock requirement if they make three attempts to start a vehicle with a BAC of .04 or greater.

This year, Wisconsin is considering a bill that would integrate many of the CDC report’s suggestions to increase the rate of interlock installations and to enforce their use. The measure would create an interlock-restricted operator’s license for DUI offenders, tying the interlock to the driver, not the vehicle. It would increase penalties by making it a criminal offense, rather than a traffic infraction, for a driver who is supposed to have an interlock installed to be caught operating a vehicle not equipped with the device. The bill also would increase monitoring by requiring an offender to show proof of installation on the vehicles he or she will operate and proof of insurance before the license can be issued.

tration identified the following key actions states can take to increase the rate of interlock installations and to enforce their use.

- Require offenders to use them or offer strong incentives to do so.
- Impose strong penalties for not using them.
- Monitor offenders who are required to use them.

States that require or offer incentives to offenders to install interlocks have seen dramatic increases in installations. New York required interlocks for first-time offenders in 2010; by 2011, their use had increased 100 percent. Wisconsin saw a 555 percent increase in installation, from 1,195 installed in 2010 to 7,824 in 2011, when the state began requiring interlocks for repeat and high-BAC offenders.

Another way to increase interlock installations is to reduce or eliminate license suspension periods, allowing offenders to drive while protecting public safety. Arkansas saw a 245 percent increase in use after the state did so in 2009. This strategy allows offenders to continue working and performing school and child-care responsibilities.

Finding the Funds

Adequate funding and data collection are vital to successful interlock programs.

Many states have a reserve to pay for program administration. In West Virginia, for example, offenders must pay a \$100 fee that goes into the Driver’s Rehabilitation Fund, which is used to pay administrative expenses and to help indigent offenders install and maintain interlock devices.

Lawmakers also are updating their records so many state and local agencies have coordinated data systems to help determine which offenders are required to install interlocks and to report violators. For example, the seven interlock providers in Illinois use a standardized form when reporting to the secretary of state, reducing confusion and streamlining the information the state receives from the companies.

“Drunk driving recidivism is a real problem in Wisconsin,” Senator Van Wanggaard (R), one of the bill’s co-sponsors, said in a news release. “By creating incentives to install [interlocks] and comply with installation orders, we can increase compliance and reduce drunk driving.”



Wisconsin
Senator
Van Wanggaard

Lasting Impact

The country has come a long way since 584 probationers in California installed interlock devices in 1985. Estimates peg the number of vehicles across the United States with the devices installed today at more than 320,000. Along with greater incentives for offenders, better monitoring and stricter penalties, today’s improved interlock devices have made a big impact on road safety. Still, the technology cannot prevent all alcohol-related traffic crashes because drunken driving is a complex problem for which there is no simple solution.

State lawmakers will have to continue their search for complementary strategies to ensure that only sober drivers ever sit behind the steering wheel while cruising down America’s roadways.