

From the Office of the Sheriff:

“Ignition Interlock 101”

In 2009, the legislature passed Wisconsin Act 100, effective July 1, 2010. It toughened OWI laws and mandated the installation of an Ignition Interlock Device (IID) for various OWI offenders. An IID is a breathalyzer attached to the vehicle's ignition system which will prevent the vehicle from starting if it detects the presence of alcohol. This process requires the driver to exhale into the IID to start the vehicle as well as varied times while driving. Currently, IIDs are being used in about one-half of our nation's states, thirteen of which require it for the first conviction.

Who will be required to install an IID? Must you install it in all of your vehicles? IIDs are now mandatory for all repeat OWIs, all refusals, and first offense with a BAC of .15% or higher. If you fall within one of those three categories, you will be required to install an IID on each and every vehicle you own or is registered to you. The IID must be installed for a one-year period and the court may order installation immediately, prior to conviction.

Think you can get away without it? Think again, the penalty for failure to install an IID, tamper with, disconnect, or circumvent carries a six-month extension of the IID order. The IID establishes a prohibited alcohol concentration of no more than .02% and remains in place for the duration of the IID order. Law enforcement will conduct periodic checks to ensure devices are installed.

The IID is not cheap. Offenders will first get hit with a \$50 surcharge by the court. You must then select an IID vendor from the approved list as well as locate an IID service center, all of which is available at the WisDOT website. Finally, make sure you select a model which has been approved by DOT. The IID vendor will charge you between \$75-\$100 for installation and another \$60-\$90 monthly fee. You may also be assessed other fees by the vendor for calibration, monitoring, and insurance. Once your IID period has been satisfied, you will get hit with a removal fee of \$40-\$60. Are you doing the math? So should you be ordered for an IID for one year, the cost can easily top \$1,200 per vehicle. Imagine if you own two or three. Low income offenders with an annual income of less than 150% of the Federal Poverty Level, your costs will be half.

We're not done. Failure to install an IID in each vehicle is a fine of up to \$600 and six months in the jail. Repeat violations come in at \$1,000. Tampering, disconnect, or removal will cost you another \$600 fine. Thinking about obtaining a breath sample from another, \$600. Think you can cheat the system? No way, once the vehicle is allowed to start based on a successful sample, you will be prompted to provide a sample breath at periodic times while the engine is running. Provide a poor sample or one with an alcohol concentration in excess of .02%, your horn and emergency lights will immediately activate, creating a scene. The only way to stop it is to shut your vehicle off. The final fail-safe is a database within the system which records periods of operation which will quickly identify if you are driving another vehicle vs. one equipped with the IID.

Let me close with the impact of the new law on your driver's license. Revocation periods are extended by the number of days you're sentenced to jail. Example, 30 day sentence, one-year revocation equals 395 day revocation. You will wait at least 45 days before you can receive an occupational license. Finally, before you can be reinstated, you will have to provide proof of IID installation and of course, pay a fee of \$60-\$200. Thanks for listening, tnehl@co.dodge.wi.us.