



Ignition Interlock Device Increasing Compliance

Oregon State Police

Presented by: Sgt. Kevin Ely

Presentation date: September 18, 2024

House Bill 2638 (2018)



- Created oversight program
- Statewide requirement
- Customer inquiry line
- Service center certification process
- IID Technician background
- GPS requirement
- Reporting requirements
- Programming requirements



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ISSUES TO ADDRESS

- Courts vacate IID requirement without an NNR
- Diversion form- no case number, no IID dates, filled out in their entirety
- Educating the drivers of their requirements
- Correct information not given to companies
- Communication/Education to the defendants on the IID device and operation of device
- Defense Attorneys not relaying correct information to the clients
- Prosecutors and courts not understanding and imposing incorrect IID sanctions



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Oregon State Police

- In 2023, OSP discovered approximately 1,100 diversion/conviction orders not sent to DMV to have the requirement on their license (These are the drivers who installed the IID!)
- As of September 16, 2024 - 492 orders not sent to DMV
- Met with DMV, with multiple DA's offices, Court Clerks, and DOJ has sent out emails



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Oregon State Police

- In 2024, OSP has received 258 Tamperers.
- OSP is in the process of hiring a Compliance Specialist. Tentatively Starting Oct 1.
- This will allow the Troopers to conduct investigations on IID required drivers etc. (MISD/Felony Driving with IID installed/ No Hardship) Veh's being left at service centers instead of driving



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Oregon Installation Compliance

- 20.0% Install compliance rate
 - As of June 2024, there were 41,959 Oregon IID requirements.
 - Nearly 3,000 of those requirements reside outside the State of Oregon.
 - As of August 2024, there were **8,101** active IID installed in vehicles.
 - ****Goal 50 percent****



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ODOT Report 2023

Oregon	2016	2017	2018	2019	2020	2021	% (+ /-) 20-21
Alcohol Only-Fatalities	135	107	81	85	76	110	45%
Alcohol –Only Serious Injury	216	205	198	261	215	255	19%
Alcohol Only Fatalities and Serious Injuries	351	312	279	346	291	365	25%
Total Substance alcohol or drug or both	238	255	314	318	326	387	19%



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Education

- Public Defenders: Conducted a webinar fall of 2023, spoke at conference in the spring of 2024
- Met with prosecutors and courts who were imposing incorrect IID sanctions
- Made a recording for Oregon Impact since they are all online
- OSP is presenting at VIP panels across the state
- Educating judges regarding State Vs. Drumbor (2020)



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Court Acknowledgement Form

- IID Companies rely on information from the customer
- Since OR is a compliance state, could be months or years before they install
- Benefits of the form: Court holds Def. accountable, companies get correct information, and verifies DMV will receive a copy



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IGNITION INTERLOCK DRIVER ACKNOWLEDGMENT FORM



The form shall be completed by the court upon conviction or entry into diversion and acknowledged by the IID required driver. Please notify the IID required driver that this form must be given to the ignition interlock device (IID) manufacturer representatives/company at the initial installation of the device for individuals required to install an ignition interlock due to ORS 813.602.

REQUIRED DRIVER'S NAME		DATE OF BIRTH	DRIVER'S LICENSE NUMBER	DL STATE
MONITORING ADSS		MONITORING COURT		
DIVERSION DATE	DIVERSION	CONVICTION	CONVICTION DATE	
IID REQUIREMENT DATE		CASE NUMBER		

Required Driver Acknowledgments: As an IID required driver, I need to provide DMV a No Negative Certificate issued from my IID company and processed by DMV, before my requirement is removed from my driving record. I recognize the IID requirement will not be removed from my driving record until I have met the IID requirement. I understand that if any of the below situations occur during the IID requirement, may result in a denial of my no negative certificate and an extension of my IID requirement.

- **Start-up Alcohol Violation:** Trying to start the vehicle with a breath sample above 0.02% breath alcohol concentration (BrAC) without providing another sample below 0.02% BrAC within 10 minutes, along with a photo of IID required driver providing the sample, while seated in the driver's seat.
- **Random Retest Violation:** Not providing a passing test within 10 minutes any time the device asks for a breath sample. Retests are required at random intervals ranging from 5 to 10 minutes and 15 to 45 minutes from the previously required retest for the duration of the vehicle operation.
- **Retest Alcohol Violation:** Providing a random breath sample with a breath sample above 0.02% BrAC without providing another sample below 0.02% BrAC within 10 minutes, along with a photo of the IID required driver providing the sample.
- **Lockout Violation:** Not bringing the vehicle and device into the service center when required for all services and inspection of the device.

Breath Samples: Eating, drinking, or having anything in my mouth within 10-15 minutes of any breath test could affect the test results. I will have 10 minutes to blow a passing sample for results reading alcohol, otherwise the first test may be considered a violation and may extend my requirement. I am aware that using personal hygiene products, such as cologne, perfume, mouthwash, hand sanitizer, etc. may cause the IID to register a BrAC reading.

Early Recall: When a countdown is displayed on the device due to an alcohol reading or missed retest, requiring service of the IID, I have 7 days to bring my device in for servicing. If I do not have my IID serviced within the required time frame, my IID will lockout. This may result in additional fees and/or extension of my IID requirement.



IGNITION INTERLOCK DRIVER ACKNOWLEDGMENT FORM

Early Removal: Removing my device early could cause my IID requirement to continue to be active on my driver's license until I have reinstalled for 90 consecutive days and provide documentation to DMV. My IID company is not responsible for any actions if my device is removed early. It is my responsibility to call DMV's Customer Service Center at (503) 945-5000 or go to dmv2u.oregon.gov to find out my eligible removal date.

Tampering: Covering or moving the camera, asking someone to provide a breath sample for me, cutting wires, tampering with, or bypassing the device through any other methods is not allowed. I understand if this occurs the DMV may suspend my driving privileges. I also understand if I ask or allow someone to bypass the device, that person and I may be fined.

Soliciting Another: I understand allowing or asking someone to blow into the IID to allow me to use my vehicle is a form of tampering and may result in my driving privileges being suspended. This includes having someone provide samples for me to start the vehicle or while I am driving.

Digital Camera and GPS Technology: It is required to have a camera and global positioning system (GPS) installed with my IID. The camera must be able to capture a photo of the driver. When providing a breath sample, the driver must be seated in the driver's seat to make sure the device's camera captures the image of the driver providing the breath sample.

Petition to the court (Diversion Only): It states in my Diversion Agreement, I may request a 6 month no negative report from my IID company, after meeting the requirements. Once I have received OSP Form 257-0007 (No Negative Certificate), I can petition the court for early removal of my IID requirement. I understand the early removal of the device is not guaranteed and the court has the final authority.

Any questions regarding your IID requirements, please contact the Oregon State Police Ignition Interlock Program at 503-934-0180, email to osp.iid@osp.oregon.gov or visit OSP's IID Website.

The no negative certificates can be issued after 6 consecutive months with no violations (Diversion) or for no violations during the last 90 consecutive days of the IID requirement.

I have read and completely understand the above statements regarding tampering and soliciting. I am fully aware of the consequences that could happen should I chose to tamper or solicit anyone to tamper with the IID, camera or GPS. I understand that high BrAC incidents on the device, missed retests, and tampers are ultimately the responsibility of the IID required driver who has contracted with a Manufacture Representative for use of the device. If there is no image, or an unclear/partial image, the IID required driver is responsible for the incident.

My signature below means that I have read the above information completely and understand what I need to do to successfully complete my IID requirement.

REQUIRED DRIVER'S SIGNATURE	DATE
WITNESS SIGNATURE	DATE



Mailers

YOU ARE IN VIOLATION OF YOUR IGNITION INTERLOCK REQUIREMENT



Oregon Driver & Motor Vehicle Services (DMV) records indicate you have a current ignition interlock requirement on your Oregon driving record, pursuant to Oregon Revised Statute (ORS) 813.602.

To satisfy this requirement, you must have an ignition interlock device (IID) installed by an OSP-approved company and submit proof of its installation to DMV. The required IID No Negative Report Certification, Form 257-0007, must be completed by the approved company stating that you have not had any disqualifying factors in the last 90 consecutive days since the court-issued requirement or installation.

Note: The earliest length of time the certificate can cover is the last 90 days of your original (one-, two- or five-year) ignition interlock requirement.

For more information, visit oregon.gov/osp/programs/pages/ignition-interlock-device-program.aspx. If you have questions regarding this notice, steps to take to satisfy your requirement, or believe you have received this notice in error, please contact the OSP IID Oversight Program at **(503) 934-0180**.

USTED ESTÁ EN VIOLACIÓN DE SU REQUISITO DE BLOQUEO DE ENCENDIDO



Los registros de los Servicios de Conductores y Vehículos Motorizados de Oregón (DMV) indican que usted tiene un requisito de bloqueo de encendido vigente en su registro de conducción de Oregón, de conformidad con el Estatuto Revisado de Oregón (ORS) 813.602.

Para satisfacer este requisito, usted debe tener un dispositivo de bloqueo de encendido (IID) instalado por una compañía aprobada por la OSP y presentar prueba de su instalación al DMV. La compañía aprobada debe completar la Certificación de Informe No Negativo del IID, Formulario 257-0007, indicando que usted no ha tenido ningún factor descalificador en los últimos 90 días consecutivos desde el requerimiento o instalación emitido por el tribunal.

Nota: El periodo de tiempo más corto que puede cubrir el certificado son los últimos 90 de su requisito original de bloqueo de encendido (uno, dos o cinco años).

Para obtener más información, visite oregon.gov/osp/programs/pages/ignition-interlock-device-program.aspx. Si tiene preguntas sobre este aviso, los pasos a seguir para satisfacer su requisito, o cree que ha recibido este aviso por error, póngase en contacto con el Programa de Supervisión de IID de la OSP en **(503) 934-0180**.



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Mailers

- DMV List started in 2017 to present on open IID requirements
- 3,717 mailers sent out as of Sept. 16, 2024
- 10 percent returned due to address changes
- Starting to see older DUI's installing the IID!



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Legislative Fixes

- Make the Ignition Interlock laws criminal instead of violation.
- Change the wording in the law: someone is not eligible to have the NNR report issued, when they don't have valid driving privileges.
- Fix Employer Exemption: To meet the employer vehicle IID requirements, require an IID install on a personal vehicle.
- If the courts find the driver Tampered, change to shall revoke instead of 'may'.



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Relationships

- Department of Motor Vehicles
- Judges
- Court Clerks
- Prosecutors
- Public Defenders
- Alcohol Drug Screening Specialist (ADSS)
- Parole and Probation Officers



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Oregon State Police IID Oversight Program

Contact Information

Kevin Ely, Sergeant

Phone: 503-930-6145

Email: kevin.ely@osp.oregon.gov



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