

**Effect of Ignition Interlock Sections in V 4.1 of H.876 Senate Transportation Strike-all**

|   | <b>SUSPENSION PERIOD</b> | <b>HARD SUSPENSION PRIOR TO ELIGIBILITY FOR INTERLOCK (IID)</b> | <b>PERIOD PRIOR TO ELIGIBILITY FOR REINSTATEMENT ONCE IID OBTAINED</b>      | <b>IID MANDATORY OR PERMISSIVE?</b>  |
|---|--------------------------|---|---|--|
| <b>DUI 1 - CRIMINAL SUSPENSION</b>              |                          |   |   |  |
| DUI - 1   | 90 days                  | <del>30 days</del> none   | <del>6 months</del> 90 days   | Permissive   |
| DUI - 1 (refusal)                               | 90 days                  | 30 days   | <del>9 months</del> 90 days   | Permissive   |
| DUI - 1 (death or SBI)                          | 1 year                   | n/a 1 year <sup>1</sup>   | n/a 1 year  | n/a Permissive   |
| <del>DUI - 1 (refusal; SBI)</del>               | <del>6 months</del>      | <del>n/a</del>  | <del>n/a</del>  | <del>n/a</del>   |
| <b>DUI 1 - CIVIL SUSPENSION</b>                 |                          |   |   |  |
| 1st violation                                   | 90 days                  | <del>30 days</del> none <sup>2</sup>                            | <del>6 months</del> 90 days   | Permissive   |
| 1st violation (refusal)                         | 6 months                 | 30 days <sup>3</sup>  | <del>9 months</del> 6 months  | Permissive   |
| <b>DUI 2 - CIVIL OR CRIMINAL</b>                |                          |   |   |  |
| DUI - 2   | 18 months                | <del>90 days</del> none   | 18 months   | <del>Permissive</del> Mandatory  |
| DUI - 2 (refusal)                               | 18 months                | 90 days   | <del>2 years</del> 18 months  | <del>Permissive</del> Mandatory  |
| DUI - 2 (death or SBI)                          | 18 months                | n/a 1 year  | n/a 1 year  | n/a Mandatory  |
| <b>DUI 3d OR SUBSEQUENT - CIVIL OR CRIMINAL</b> |                          |   |   |  |
| DUI - 3d or subseq                              | Life                     | <del>1 year</del> none  | 3 years<br><i>Note: Reinstatement requires total abstinence for 3 years</i> | <del>Permissive, except must use IID for 1 year after TA reinstatement if have not used IID for 3 years</del><br>Mandatory |

<sup>1</sup> As a practical matter, a 1st time offender whose offense involves death or SBI is unlikely to elect to obtain an IID for a first offense, because the offender may at that time be eligible for reinstatement of his or her regular operator’s license by the time the one year “hard” suspension has elapsed. But, the option is open to them if to get the IID if they haven’t satisfied the other requirements of reinstatement.

<sup>2</sup> If death or serious bodily injury results from the offense, the “hard” suspension period prior to eligibility for an IID is one year. Also see fn. 1.

<sup>3</sup> See fn. 2.

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|---|---|---|--|---|
| DUI - 3d or subseq (refusal)              | Life                                      | 1 year  | <del>4 years</del> <b>3 years</b><br><i>Note: Reinstatement requires total abstinence for 3 years</i>  | <del>Permissive, except must use IID for 1 year after TA reinstatement if have not used IID for 3 years</del><br><b>Mandatory</b> |
| DUI - 3d or subseq (death or SBI)         | Life                                      | <del>n/a</del> <b>1 year</b>                                    | <del>n/a</del> <b>3 years</b>  | <b>Mandatory</b>  |
| <b>CIVIL SUSPENSION - UNDER 21 (0.02)</b> |   |   |  |   |
| 1st violation                             | 6 months                                  | <del>30 days</del> <b>none</b>                                  | <del>9 months</del> <b>6 months</b>  | Permissive  |
| 1st violation (refusal)                   | 6 months                                  | 30 days   | <del>1 year</del> <b>6 months</b>  | Permissive  |
| 1st violation (death or SBI)              | 6 months                                  | <del>n/a</del> <b>1 year</b>                                    | <del>n/a</del> <b>6 months</b>   | <del>n/a</del> <b>Permissive</b>  |
| 2d or subsequent                          | One year or until 21, whichever is longer | <del>90 days</del> <b>none</b>                                  | <del>18 months or until 21, whichever is longer</del> <b>One year or until 21, whichever is longer</b> | Permissive  |
| 2d or subsequent (refusal)                | One year or until 21, whichever is longer | 90 days   | <del>2 years or until 21, whichever is longer</del> <b>One year or until 21, whichever is longer</b>   | Permissive  |
| 2d or subsequent (death or SBI)           | One year or until 21, whichever is longer | <del>n/a</del> <b>1 year</b>                                    | <del>n/a</del> <b>One year or until 21, whichever is longer</b>  | <del>n/a</del> <b>Permissive</b>  |