

IGNITION INTERLOCK REPORT

MA



Putting an End to Drinking
and Driving Attempts

DD



*This report looks at ignition interlock stops from
2006 to 2020*

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FIGURE 1.2

GRADING IGNITION INTERLOCK LAWS

Ignition interlocks are an invaluable and underused tool that can greatly reduce drunk driving. Most states are not maximizing the effectiveness of this tool. With drunk driving deaths increasing, it is time for states to double-down and ensure that all offenders utilize an ignition interlock during a license suspension period. MADD is calling on legislatures to take more action to close loopholes in drunk driving laws. MADD graded each state based on the following criteria:

A	100-90	B	80-89	C	70-79	D	60-69	F	0-59
LAW	WEIGHTED SCORE	DESCRIPTION OF SCORE							
All-Offender	35	A CDC meta-analysis of interlocks studies found that ensuring all offenders use an interlock to drive during a license revocation or suspension is proven to reduce repeat offenses by 67% compared to license suspension alone. This category of the law is the most important and the most weighted in our grading chart.							
IID available upon revocation	11	States still make drunk drivers wait days or months before having the opportunity to be taught how to drive sober with an interlock. Ensuring these devices are available as soon as legally possible after a drunk driving offense will eliminate hoops drunk drivers must go through to obtain an interlock.							
IID required for 1st .15 BAC	10	Many states first enacted a .15 BAC law before an all-offender law. Ensuring that interlocks are required for first-time convicted drivers with a BAC of .15 or greater is important.							
No wait out of interlock	23	The biggest loophole that the majority of states have with their interlock law is the ability to wait out the use of an interlock following revocation. The best way to ensure that a drunk driver uses an interlock is to require the person to use the device before ever obtaining a legal unrestricted driver's license.							
Compliance-based removal	9	Studies on interlock found that once the device is off, the person can relapse and drive drunk again. Compliance-based removal extends a drunk driver's use of an interlock when there are too many drunk driving attempts or other violations while utilizing the device.							
Affordability program	2	A drunk driving offense typically costs more than \$10,000. An interlock for six months costs around \$500 total. However, a person's inability to fully cover the cost of an interlock should not exclude any drunk driver from this lifesaving device.							
IID Refusals	5	According to NHTSA, nearly one in five suspected drunk drivers refuses to submit to a chemical test upon arrest. Ensuring that interlocks are a condition of any driving privileges granted for a refusal helps close loopholes, and the majority of states have enacted such laws.							
IID day for day credit	2	The post-adjudication licensing process varies greatly from state to state, which makes the implementation of credit for installing interlock prior to a court conviction order of the device very tricky. However, in the interest of preventing further drunk driving behavior, it is important to make an interlock available as soon as possible after an arrest and allow the time on the device to count toward any court or DMV issued interlock restriction.							
Interlocks as part of sentence for a drunk driver (plea/diversion)	3	Plea deals or diversion agreements allow drunk drivers to avoid a conviction and fines. As noted in the state overview of laws, some state interlock laws are not impacted by the threat of plea deals or diversion agreements undermining the implementation of their interlock thanks to strong DMV administered law. However, through MADD's Court Monitoring Program, we found that only three out of every five drunk drivers are convicted for their original DUI offense. What does this mean for ignition interlock use? This means that interlocks are a bargaining chip when it comes to convicting drunk drivers; because of plea deals with courts, drunk drivers are avoiding using ignition interlocks.							
TOTAL	100								

The grades are meant to encourage action in legislatures to improve drunk driving laws. MADD thanks prosecutors, law enforcement, highway safety officials and all of those involved with implementing current ignition interlock laws to keep the public safe.

**FIGURE 1.3
GRADING IGNITION INTERLOCK LAWS CONTINUED**

STATE	ALL-OF-FENDER (35)	REVOCA-TION (11)	0.15 (10)	NO WAIT-OUT (23)	CBR (9)	AFFORD-ABILITY (2)	REFUSAL (5)	DAY-FOR-DAY (2)	PLEA DEAL (3)	TOTAL (100)	GRADE
Alabama	35	5.5*	10	0	9	2	5	0	3	69.5	D+
Alaska	35	0	10	0	0	2	5	0	0	52	F
Arizona	35	5.5*	10	23	9	0	5	0	3**	90.5	A-
Arkansas	35	11	10	23	0	0	5	0	3**	87	B+
California	0	11	0	0	0	2	0	1*	0	14	F
Colorado	35	0	10	11.5*	9	2	5	0	3**	75.5	C
Connecticut	35	0	10	23	9	0	5	0	3	85	B
Delaware	35	0	10	5.75*	9	2	5	0	3	69.75	D+
D.C.	35	11	10	0	9	2	0	0	0	67	D
Florida	0	0	10	0	9	0	0	0	0	19	F
Georgia	0	5.5*	0	0	0	0	0	0	0	5.5	F
Hawaii	35	11	10	0	0	2	5	0	0	63	D-
Idaho	35	0	10	0	0	2	5	0	3	55	F
Illinois	35	11	10	0	9	2	5	0	0	72	C-
Indiana	0	11	0	0	9	2	5	2	0	29	F
Iowa	35	11	10	0	0	0	5	0	0	61	D-
Kansas	35	0	10	23	0	2	5	0	0	75	C
Kentucky	35	11	10	0	9	2	5	2	0	74	C
Louisiana	35	0	10	0	0	0	5	0	0	55	F
Maine	35	0	10	0	0	2	0	0	0	47	F
Maryland	35	11	10	5.75*	9	2	5	2	0	79.75	C+
Massachusetts	0	0	0	0	9	2	0	0	0	11	F
Michigan	0	0	0	0	9	2	0	0	0	11	F
Minnesota	0	11	0	0	9	2	0	2	0	24	F
Mississippi	35	11	10	0	9	2	5	2	0	74	C
Missouri	35	11	10	0	9	2	0	0	0	67	D+
Montana	0	0	0	0	0	0	0	0	0	0	F
Nebraska	35	5.5*	0	0	0	2	5	2	0	49.5	F
Nevada	35	11	10	0	9	2	5	2	0	74	C
New Hampshire	35	0	10	0	9	2	0	0	0	56	F
New Jersey	35	5.5*	10	0	9	2	5	0	0	66.5	D
New Mexico	35	11	10	23	9	2	0	0	0	90	A-
New York	35	11	10	0	9	2	0	2	0	69	D+
North Carolina	0	5.5*	10	0	0	2	5	0	0	22.5	F
North Dakota	0	0	0	0	0	0	0	0	0	0	F
Ohio	0	0	0	0	9	2	0	0	0	11	F
Oklahoma	35	0	10	0	0	0	5	0	3	53	F
Oregon	35	0	10	0	9	2	0	0	3	59	F

FIGURE 1.3

GRADING IGNITION INTERLOCK LAWS CONTINUED

Pennsylvania	0	5.5*	10	0	9	0	5	2	0	31.5	F	
Puerto Rico	0	0	0	0	0	0	0	0	0	0	F	
Rhode Island	35	5.5*	10	0	9	0	5	0	0	64.5	D	
South Carolina	0	5.5*	10	11.5*	9	2	0	0	0	38	F	
South Dakota	0	0	0	0	0	0	0	0	0	0	F	
Tennessee	35	11	10	0	9	2	0	2	0	69	D+	
Texas	35	11	10	0	9	2	0	0	3	70	C-	
Utah	35	0	10	0	0	0	5	0	0	50	F	
Vermont	35	11	10	0	9	2	5	0	3**	75	C	
Virginia	35	11	10	0	9	2	5	0	3**	75	C	
Washington	35	11	10	0	9	2	5	2	3	77	C+	
West Virginia	35	11	10	0	9	2	5	2	0	74	C	
Wisconsin	0	5.5*	10	11.5*	0	2	5	0	0	34	F	
Wyoming	0	0	10	0	0	2	5	1*	0	18	F	
										AVERAGE	51.13	F

*Partial credit as aspect of law only applies to certain drunk drivers.

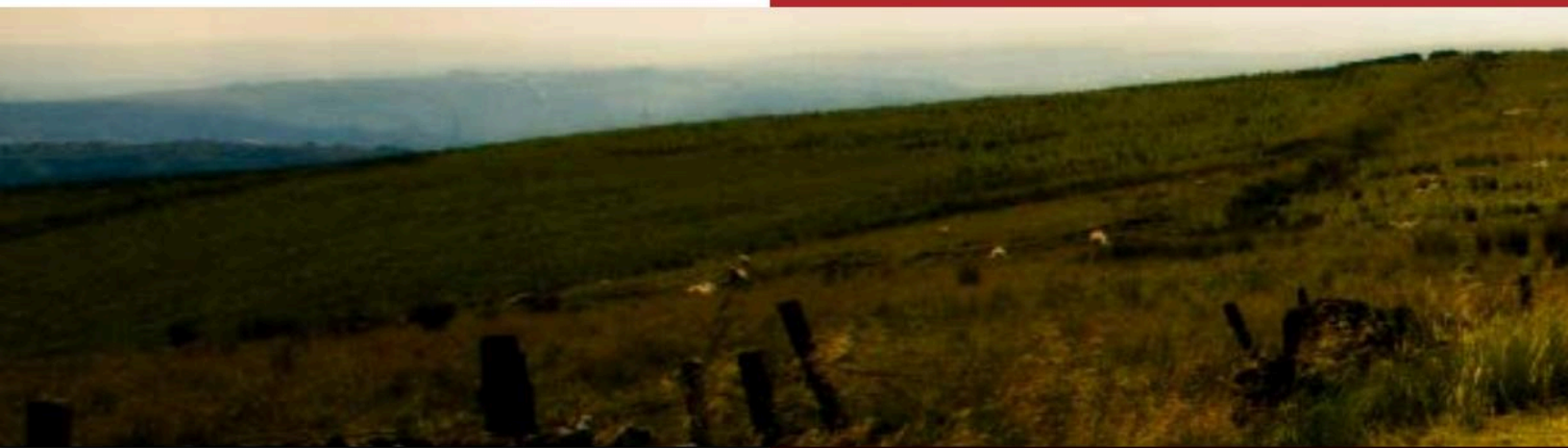
**Strong administrative IID law neutralizes threat of plea deals to avoid interlock use.

The grades are meant to encourage action in legislatures to improve drunk driving laws. MADD thanks prosecutors, law enforcement, highway safety officials and all of those involved with implementing current drunk driving laws to keep the public safe.



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Since 2006, ignition interlocks prevented **26 million** attempts to drink and drive, including 3.4 million attempts to legally drive drunk.



MA



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INTRO- DUCTION

Ignition Interlocks Stop Drunk Driving and Save Lives. MADD's efforts are driven by victims. This report honors victims and survivors who advocate for change to eliminate impaired driving through the passage of strong ignition interlock laws. Advocacy efforts of victims and survivors have helped save lives by preventing millions of drinking and driving attempts. Ignition interlocks are effective in changing behavior and are a valuable tool for saving lives and preventing injuries on our nation's roads. However, these devices are vastly underutilized. It is more important than ever

that states strengthen ignition interlock laws and review impediments to getting these devices on offenders' vehicles. During the COVID-19 pandemic, drunk driving fatalities increased 9% despite fewer vehicle miles traveled, according to the National Highway Traffic Safety Administration (NHTSA). Courts, driver's license agencies, and policy makers must double down in supporting ignition interlocks to ensure every drunk driver utilizes these lifesaving devices before ever driving unrestricted on the road.

From 2006 to 2020, interlocks stopped 3.78 million attempts to drive drunk with a blood alcohol concentration of .08 or greater, including 390,456 attempts to drive drunk in 2020.

DOWN

What is an ignition interlock? It is a device about the size of smart phone that requires a driver to blow into a mouthpiece to test their blood alcohol concentration before they can start a vehicle. If the device detects an alcohol level greater than allowed by the monitoring authority, it prevents the engine from being started.





The Campaign to Eliminate Drunk Driving and Ignition Interlocks

By 2006, MADD had successfully advocated for .08 BAC laws and hundreds of other proven policies and countermeasures designed to reduce drunk driving fatalities and injuries. However, drunk driving was still too common, killing 13,500 people a year in 2006. Additionally, the percentage of drunk driving deaths to overall traffic deaths remained at the same level since 1995. To renew the call to stop drunk driving, in 2006 MADD launched a **Campaign to Eliminate Drunk Driving**. Since then, MADD has pushed state legislatures to require the use of ignition interlocks for every apprehended drunk driver.

Why the Push for Interlocks for Drunk Drivers?

Even with increased penalties, drunk driving has continued to be a national public health crisis. To complement existing anti-drunk driving countermeasures such as high-visibility law enforcement activities, MADD pursued a data-driven technological approach that is proven to stop drinking and driving. Research shows that interlocks are reliable, and that they effectively change behavior and save lives. Ignition interlocks accomplish what license suspension simply cannot— to separate drinking and driving and allow an apprehended drunk driver to continue daily activities, while not posing a serious safety risk to the motoring public.

What MADD's Advocacy for Ignition Interlocks Accomplished since 2006

When MADD started a nationwide push for interlocks for every drunk driver in 2006, only one state, New Mexico, required the use of ignition interlocks for all drunk drivers. Today, **34 states and Washington, D.C. have enacted all-offender interlock laws.** For more

than 14 years, MADD has successfully advocated for passage of over a hundred laws aimed at improving the implementation of laws throughout the United States.

EFFECTIVENESS OF IGNITION INTERLOCKS



Reduce repeat drunk driving offenses by 67% while the device is installed compared to license suspension alone. (Centers for Disease Control and Prevention, 2011)



Mandatory laws for all convicted drunk drivers reduce deaths by 16 percent (Insurance Institute for Auto and Highway Safety, 2018).



Interlock is more effective than license suspension alone, as 50% to 75% of convicted drunk drivers continue to drive on a suspended license. (Nichols and Ross, 1990)

FIGURE 1.0

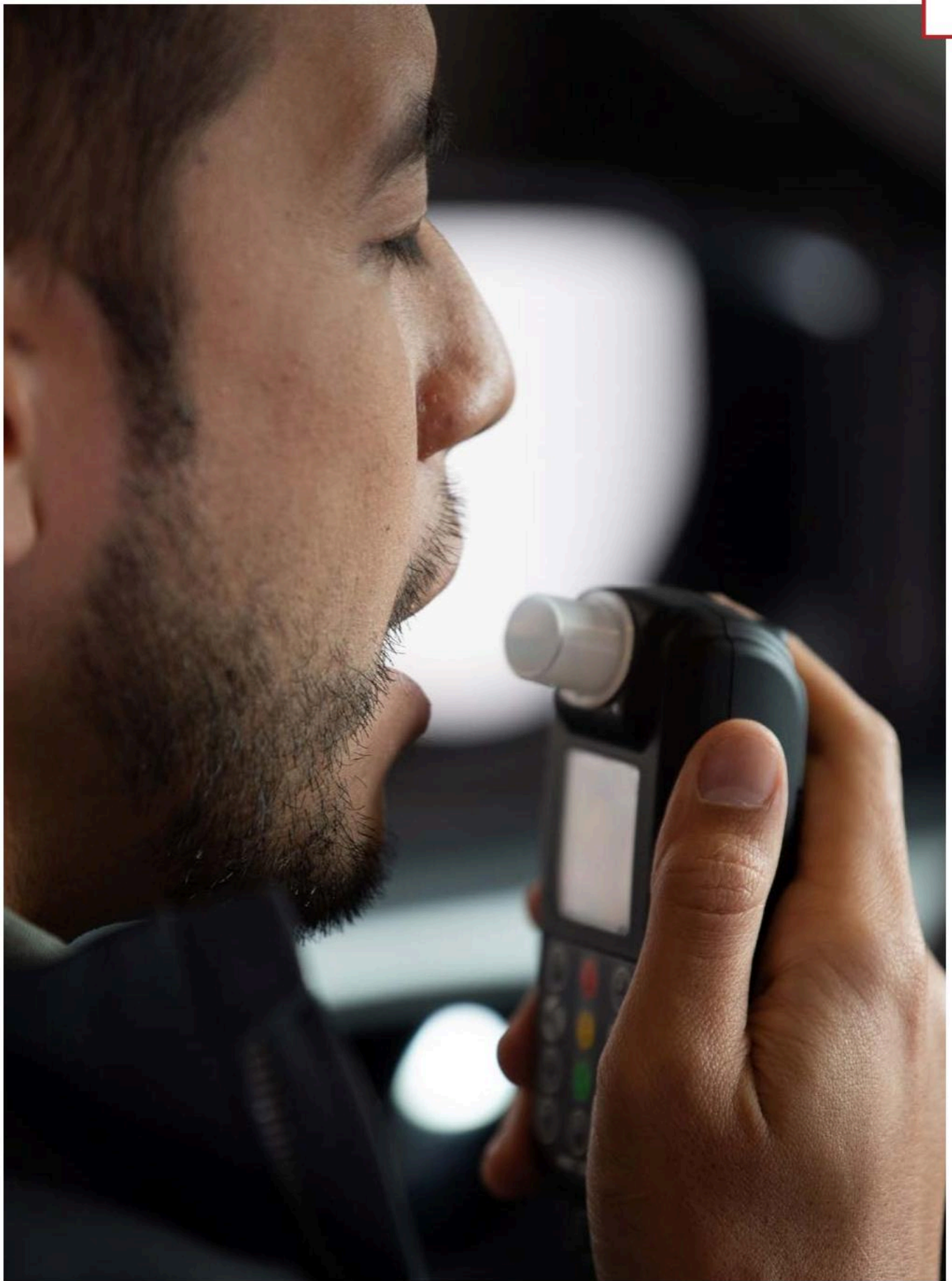
TOP FIVE STATES WITH THE MOST DRUNK DRIVING STOPS BY AN INTERLOCK

2006 to 2020		2020	
Texas	371,345	Texas	34,367
Wisconsin	357,946	Wisconsin	28,281
California	298,401	California	28,078
Iowa	184,148	Iowa	26,989
Washington	147,435	Arkansas	17,835

Discussion

As Texas and California have large populations, it is logical that these states are in the top five. But why do ignition interlocks stop so many drunk driving attempts in Wisconsin, Iowa, and Arkansas? The most likely answer is these three states lack a compliance-based removal aspect to their law. With a compliance-based law, multiple interlock device violations extend the time

on the interlock until the driver learns how to drive sober again. The threat of extra time on the interlock could deter people from trying to drive drunk with a BAC of .08 or greater



Ignition interlocks are one of many tools that work together to fight drunk driving, but they are underutilized. The battle against drunk driving is far from over.

How States can Improve Implementation of Ignition Interlock Laws

- **All-offender law.** All drunk drivers should use an interlock in order to drive. States should require the use of ignition interlocks in order to obtain any driving privileges for the duration of a license suspension or revocation. The duration on ignition interlock should be six months.
- **Interlock available upon revocation or conviction.** States still make drunk drivers wait days or months before having the opportunity to be taught to drive sober with an interlock. Ensuring these devices are available as soon as legally possible after a drunk driving offense will eliminate hoops drunk drivers must go through in order to guarantee they drive sober.
- **No wait out of interlock order.** Require successful use of an ignition interlock before the person can obtain unrestricted driving privileges. If a person does not comply with the interlock order, the person cannot obtain legal driving privileges.
- **Compliance-based removal of interlock order.** A person should only exit an interlock program after proving compliance with the interlock order. Multiple device violations should extend the time on the interlock until the person learns how to drive sober.
- **Affordability program.** An interlock costs the user around \$3 a day to lease, which for six months costs around \$500. A DUI conviction typically costs the offender more than \$10,000. If an offender is determined indigent, the offender should pay less for the interlock with device vendors defraying the costs.
- **Interlocks for refusals.** Nationally, one in five suspected drunk drivers refuse to submit to a test after being pulled over for driving under the influence. More than 30 states already require interlocks for refusals.
- **Day-for-day credit for early installation.** If a person installs an interlock after arrest, they should have the successful time on the interlock credited toward any DMV or court time required on the device.
- **Ensure interlocks are part of every sentence for a drunk driver.** According to MADD's Court Monitoring Program, the average conviction rate of an original drunk driving charge is around 60%. Even under a mandatory law, interlocks may be waived as part of the plea deal or simply not ordered by a judge. As noted in the state overview of laws, some state interlock laws are not impacted by the threat of plea deals or diversion agreements thanks to strong DMV administered laws.
- **Revenue neutral to the state.** Drunk drivers who use an interlock should pay fees to courts or other agencies that implement the program so overhead is neutralized. Additionally, the interlock law should be implemented statewide, which typically requires the Driver's License Agency to ensure every drunk driver used an interlock before being granted an unrestricted license.

To view a state-by-state breakdown on ignition interlock laws and how to improve on each law, please visit: www.madd.org/iidlaw

FIGURE 1.1

DRUNK DRIVING STOPS BY AN IGNITION INTERLOCK

	2006 to 2020	2020
Alabama	8,404	2,447
Alaska	18,036	1,146
Arizona	120,782	11,005
Arkansas	112,531	17,835
California	298,401	28,078
Colorado	135,963	15,365
Connecticut	93,164	11,754
Delaware	7,870	995
D.C.	299	20
Florida	109,127	11,809
Georgia	44,313	4,368
Hawaii	11,595	811
Idaho	10,596	2,545
Illinois	129,893	9,141
Indiana	15,079	2,811
Iowa	184,148	26,989
Kansas	123,647	7,852
Kentucky	8,980	2,096
Louisiana	135,090	17,462
Maine	17,503	1,692
Maryland	73,978	7,042
Massachusetts	47,435	4,358
Michigan	32,223	1,945
Minnesota	88,050	6,881
Mississippi	9,485	1,507
Missouri	128,196	11,100
Montana	7,054	828
Nebraska	43,241	4,726
Nevada	16,503	4,059
New Hampshire	14,529	1,791
New Jersey	119,122	16,105
New Mexico	89,658	6,958
New York	111,043	8,157
North Carolina	30,306	5,045
North Dakota	715	314
Ohio	34,927	4,438
Oklahoma	104,009	12,650
Oregon	57,645	4,150
Pennsylvania	93,037	9,336
Rhode Island	7,848	1,839
South Carolina	12,655	2,072
South Dakota	2,040	197
Tennessee	79,530	10,989
Texas	371,345	34,367
Utah	26,472	3,417
Vermont	11,700	1,422
Virginia	28,952	3,815
Washington	147,435	14,089
West Virginia	31,052	1,478
Wisconsin	357,946	28,281
Wyoming	20,831	768
Total	3,784,383	390,345

“Drunk driving stops” refers to attempts an ignition interlock prevented a person from driving with a breath alcohol concentration of .08 or greater. Data collected from ignition interlock vendors, from December 1, 2006 to December 31, 2020.