



May 19, 2023

## Support AB 167 to improve the implementation of the drunk driving ignition interlock law

Dear Chairman Spiros and Assembly Committee on Criminal Justice and Policy Committee Members,

Mothers Against Drunk Driving (MADD) supports AB 167 by Representative Murphy to improve implementation of the ignition interlock law. AB 167 allows for drunk drivers to use this lifesaving device 15 days after license suspension in lieu of a route or time restricted license. Since 2010, interlocks are required for all repeat, refusals and first-time offenders with a blood alcohol concentration (BAC) of .15 or greater upon conviction. **AB 167 does not expand the current mandate of the use of ignition interlocks in Wisconsin.**

MADD supports AB 167 because it will save lives. In 2021, drunk driving killed 199 people in Wisconsin, representing 32 percent of all traffic fatalities. According to the Insurance Institute for Highway Safety, laws like AB 167 are proven to reduce drunk driving deaths by 16%.

**What is an ignition interlock?** An ignition interlock is a device about the size of a smart phone that is wired into the ignition system of a vehicle. If an interlock user is drunk, the vehicle will not start. Interlocks cost around \$3 a day to lease. Under current law, if the person is indigent, they are eligible for a reduced cost. If their annual income is less than 150 percent of the Federal Poverty Level (FPL), they pay only half of the regular cost of interlock installation and monthly service fee. The interlock vendors — not taxpayers — cover these costs. The FPL is adjusted annually and depends on the number of people in the household.

**Over the past 16 years, ignition interlocks have prevented over 410,000** attempts to drive drunk with a blood alcohol concentration of .08 or greater in Wisconsin, including over 24,500 attempts in 2022 alone. This shows the power of this device to prevent drunk driving and demonstrates the need for lawmakers to ensure the law is working as effectively as possible.

### **AB 167 key provisions:**

- Allows any drunk driver to use an interlock 15 days after license revocation prior to conviction in lieu of route/time restricted license.
- If a person installs an interlock prior to conviction, the time on the device is credited to any court ordered interlock conviction.
- Allows, but does not mandate, any OWI offender with a BAC of .08 or greater to apply for an unlimited driving privilege on an IID Occupational License 15 days after revocation if he or she installs an ignition interlock for the remainder of the license suspension period (typically six to nine months). The other option for first-time offenders with a BAC of .08 to .14 is to wait 45 days and apply for a route/time restricted license with no interlock requirement.
- Increases penalties for non-compliance of interlock use.

Please advance AB 167. If you have any questions, please do not hesitate to contact me at [Erin.Payton@madd.org](mailto:Erin.Payton@madd.org) or 630-541-6099. Enclosed is more information on ignition interlocks. Thank you in advance for your prompt consideration of this important request.

Sincerely,

Erin Payton  
MADD Wisconsin Regional Executive Director



**madd**

**NO MORE VICTIMS™**

## **Support SB 150 by Senator Jacque and AB 167 by Representative Murphy**

**Drunk driving is a leading killer on Wisconsin roadways,** 199 people in 2021 were killed in drunk driving crashes representing 32% of all traffic fatalities. Interlocks for drunk drivers separate drinking and driving and is proven to save lives.

**SB 150 and AB 167 Overview:** Since July 2010, ignition interlocks are mandated for all repeat, refusals and first-time offenders with a blood alcohol concentration (BAC) of .15 or greater upon conviction. ***This legislation DOES NOT expand this mandate to all first-time drunk drivers.***

- However, it does allow any drunk driver to use an interlock 15 days after license revocation prior to conviction in lieu of route-time restricted license currently required under law.
- If a person installs an interlock during this time period prior to conviction, the time on the device is credited to any court ordered interlock conviction.

### **Any offender can apply for an Interlock Restricted license after arrest (pre-conviction).**

Allows, does not mandate or require, any OWI offender with a BAC of .08 or greater to apply for an unlimited driving privilege on an Interlock Restricted License 15 days after license revocation if he or she installs an ignition interlock for the remainder of the license suspension period (typically six to nine months). The other option for first-time offenders with a BAC of .08 to .14 is to wait 45 days and apply for a time/route-restricted occupational license with no interlock requirement.

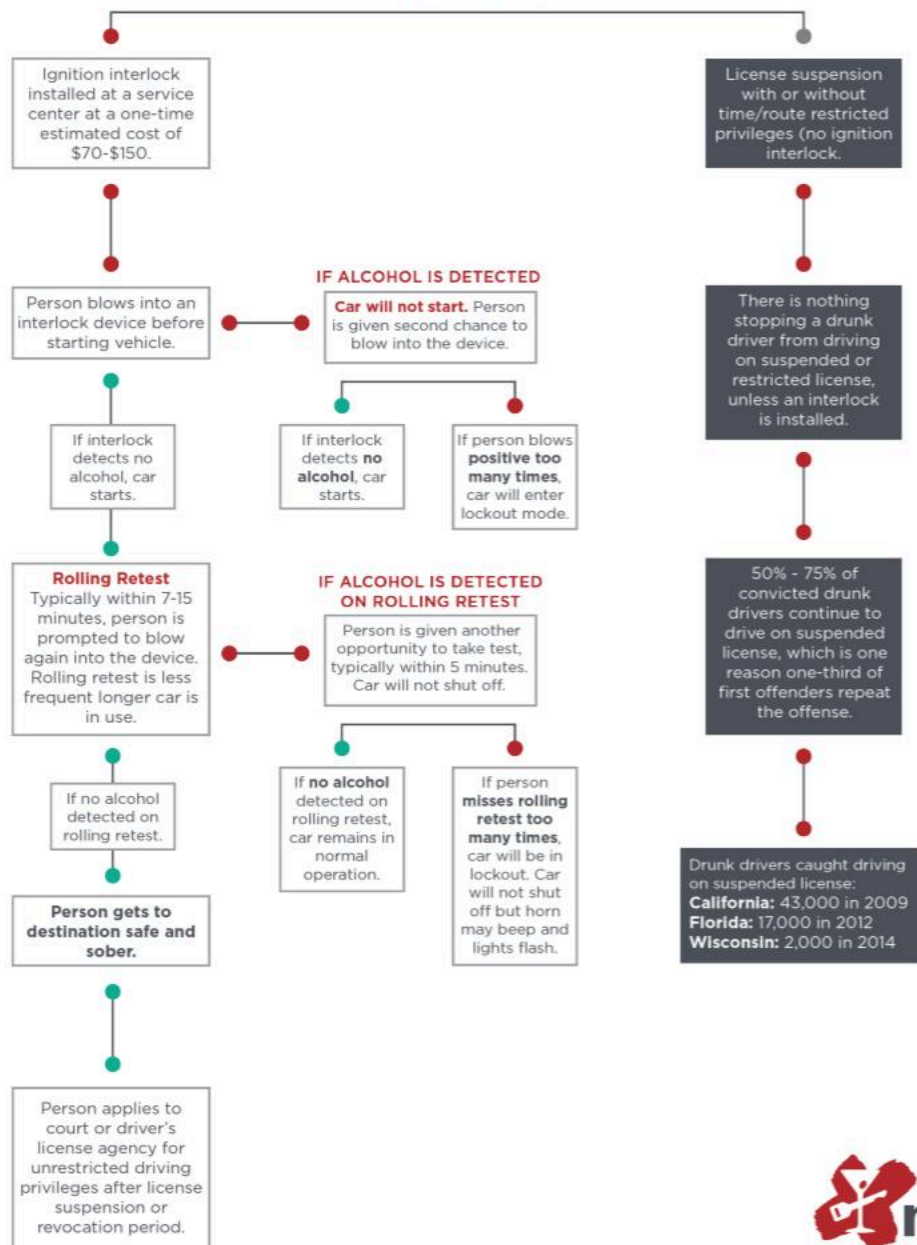
**Shortens waiting times for an interlock to be installed.** Currently, offenders ordered to use an interlock upon conviction must wait months from arrest to conviction and repeat offenders must wait an additional 45 days after conviction before installing an interlock. This bill shortens those waiting periods to 15 days after initial license revocation.

**No route or time restricted driving restriction if interlock installed after arrest.** Anyone who uses an interlock would not have route or time restriction. ***A person must prove to DOT that he or she has an interlock installed before obtaining interlock restricted driving privileges.***

**Day-for-day credit for installing an interlock pre-conviction.** If the person uses an interlock pre-conviction, they will be given day-for-day credit for time served on the interlock if a court orders the device upon conviction.

**Increases penalties for non-compliance:** Increases penalties that apply to IID tampering, failing to have an IID installed as ordered by the court, or violating a court restricting the person's operating privilege to vehicles equipped with an IID, and also applies these penalties to violating the IID restriction on an IID restricted license.

# Ignition Interlock vs. License Suspension After DUI



People who use an interlock are less likely to reoffend. Compared to license suspension alone, interlocks reduce repeat offenses by 67% while the device is installed and 39% after the device is removed. Compliance Based Removal could help decrease repeat offenses even more.

MADD supports ignition interlocks for ALL apprehended drunk drivers. Interlocks accomplish what license suspension and other monitoring technologies do not — separate drinking from driving.

- **Interlock Service Center:** Person must get interlock serviced every 30 days.
- **Lockout Mode:** If person blows positive for alcohol too many times or misses a rolling test, device may need to be taken to get serviced sooner than 30 days.
- **Extra time on interlock possible.** The interlock service center may report any violations, too many positive blows or missed rolling retests to a monitoring agency which may result in extra time on interlock if the state has a **Compliance Based Removal** aspect to the interlock law. Many states require offenders to show proof of installation and/or compliance with the interlock order to the court/driver's license agency in order to have device removed.



## Studies on the Effectiveness of Ignition Interlocks

Teoh et al, Insurance Institute for Highway Safety, “State Ignition Interlock Laws and Fatal Crashes,” March 2018.

- The number of impaired driving crashes falls 16 percent when states enact all-offender ignition interlock laws.
- If all states mandated interlocks for all DUI offenders, more than 500 of those deaths would have been avoided.

McGinty, Emma E. *American Journal of Preventative Medicine*, “Ignition Interlock Laws: Effects on Fatal Motor Vehicle Crashes, 1982–2013,” January, 2017

- Ignition interlock laws reduce alcohol-involved fatal crashes. Increasing the spread of interlock laws that are mandatory for all offenders would have significant public health benefit.
- Laws requiring interlocks for all drunk driving offenders with a blood alcohol concentration (BAC) of .08 or greater were associated with a seven percent decrease in the rate of drunk driving fatal crashes.
- Laws requiring interlocks for first-time offenders with a BAC of .15 or greater were associated with an eight percent decrease in the rate of drunk driving fatal crashes.
- Laws requiring interlocks for segments of high-risk drunk driving offenders, such as repeat offenders, may reduce alcohol-involved fatal crashes after two years of implementation.

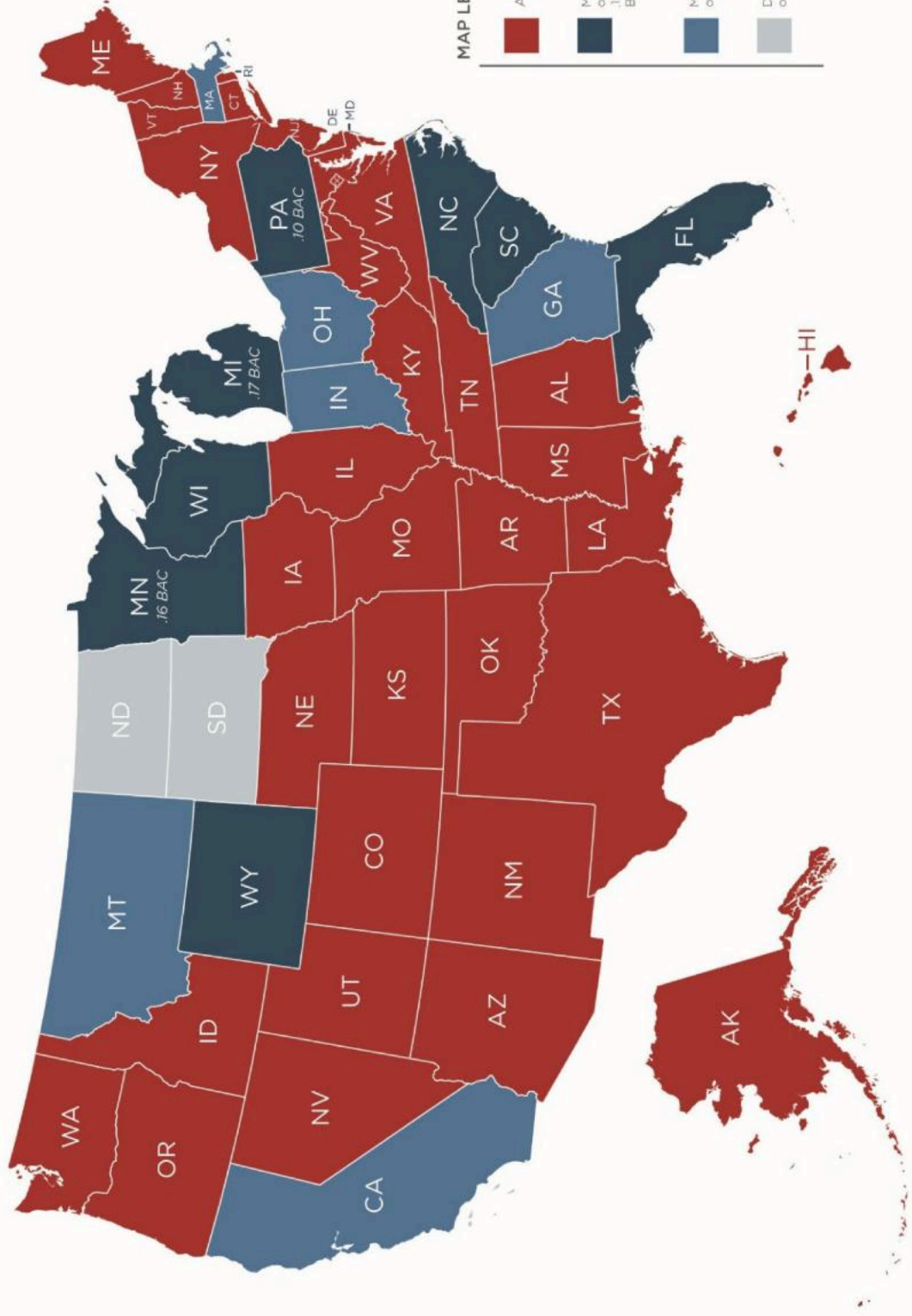
California DMV Study of Four-County Ignition Interlock Pilot Program, June 2016

- Ignition interlocks are **74% more effective in reducing DUI recidivism** than license suspension alone for first offenders during the first 182 days after conviction.
- **Interlocks are 45% more effective** in preventing a repeat DUI incidence when compared to license suspension alone during days 183 to 365 after conviction. (Many first-time offenders have the device removed after 182 days of use.)
- Ignition interlocks are **70% more effective than license suspension** alone in preventing repeat offenses for second-time offenders, compared to license suspension alone, for the first 364 days of use.
- Interlocks are **58% more effective in preventing a repeat DUI incidence during days 365 to 730** days of use for second-time offenders.
- **Third-time offenders who only had a suspended license were 3.4 times more likely to have a fourth DUI** conviction or incidence compared to the interlocked offender group.
- Because interlocked offenders are able to be a part of society and provide for their family by driving to work, grocery stores, restaurants and any anywhere else, their crash risk is most likely similar to the general driving population in California, but higher than offenders whose licenses were suspended or revoked and not permitted to drive.

Kaufman, University of Pennsylvania, “Impact of State Ignition Interlock Laws on Alcohol-Involved Crash Deaths in the United States,” March 2016

- DUI **deaths decreased by 15%** in states that enacted all-offender interlock laws.
- States with mandatory interlock laws saw a **0.8 decrease in deaths for every 100,000 people** each year – which is comparable to lives shown to have been saved from mandatory airbag laws (0.9 lives saved per 100,000 people).

# Status of Ignition Interlock Laws



Revised March, 2019