

Occupational Licensing Industry News

OLIN 2019-04

New Statewide IID Pilot Program

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Effective: January 1, 2019

New Information

New legislation (Senate Bill 1046, Chapter 783, Statutes of 2016) requires the Department of Motor Vehicles (DMV) to establish a new Statewide Ignition Interlock Device (IID) Pilot Program effective January 1, 2019, through December 31, 2025, which:

- Requires installation of an IID for driving under the influence (DUI) offenders whose violations involved alcohol for a specified period and authorizes DMV to issue an IID-restricted driver license (DL) to DUI offenders who meet specified requirements without requiring them to serve any suspension or revocation period.

EXCEPTION: DUI offenders whose violation involved **only** drugs, first-time offenders whose violation did not involve injury, and offenders who qualify for an exemption are not subject to mandatory IID installation.

- Allows administrative per se (APS) violators, who did **not** refuse to complete a chemical test, to obtain an IID-restricted DL and accumulate credit toward their mandatory IID restriction period if they are later convicted of a DUI involving alcohol.
- Authorizes courts to order IID installation for a wet-reckless offender for a minimum of three months and requires DMV to update an IID restriction on the driver record.

Additionally, effective January 1, 2019, new legislation (Senate Bill 1483, Chapter 578, Statutes of 2018) renames the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation (BEARHFTI) as the Bureau of Household Goods and Services (BHGS).

Based on this new legislation, DMV is working to make conforming changes to the Verification of Installation Ignition Interlock (DL 920) form, Notice of Non-Compliance Ignition Interlock (DL 921) form, and the Ignition Interlock Notice of Removal (DL 922) form to reflect the new name.

Fee Schedule Acknowledgement

Effective January 1, 2019, *California Vehicle Code (CVC)* §13386 requires all certified manufacturers and manufacturer's agents to provide functioning, certified IIDs to applicants at the costs described in CVC §23575.3(k) and acknowledge that failure to comply with CVC §23575.3(k) will result in suspension or revocation of the approval for the manufacturer to market IIDs in California.

Fee Schedule Acknowledgement, *continued*

The law requires every certified IID manufacturer and manufacturer’s agent to adopt the following fee schedule for a program participant whose income level falls within the federal poverty level (FPL) guidelines:

<i>Participant With</i>	<i>Participant Pays</i>	<i>IID Manufacturer or Manufacturer’s Agent Is</i>
An income at 100% or below the federal poverty level	10% of the program costs plus any additional costs due to non-compliance	Responsible for the percentage of costs that the participant is not responsible.
An income at 101% to 200% of the federal poverty level	25% of the program costs plus any additional costs due to non-compliance	
An income at 201% to 300% of the federal poverty level	50% of the program costs plus any additional costs due to non-compliance	
CalFresh benefits	50% of the program costs plus any additional costs due to non-compliance	
An income at 301% to 400% of the federal poverty level	90% of the program costs plus any additional costs due to non-compliance	

Use one of the following documents to verify the participant’s income:

- Previous year’s federal income tax return.
- Previous three months of weekly or monthly income statements.
- Employment Development Department verification of unemployment benefits.

NOTE: CalFresh recipients must provide proof of benefits to the IID manufacturer, manufacturer’s agent, or authorized IID installer.

All other participants who are **not eligible** for the federal poverty income level are responsible for **100%** of the program costs, plus any additional costs due to non-compliance.

The U.S. Department of Health and Human Services updates the FPL guidelines. Visit www.hhs.gov for additional information.

DMV is drafting a form that will require all certified IID manufacturers to complete and submit to DMV. When completed, the form will be available at dmv.ca.gov.

IID Installation

The program requires IID installation for individuals convicted of an alcohol-related DUI under CVC §23152, 23153, or *California Penal Code* (PC) §191.5(b) with a violation date on or after January 1, 2019, through December 31, 2025, for a period ranging from 12 to 48 months.

First-time alcohol-related DUI offenders whose violation did not involve injury are not subject to mandatory IID installation. However, the program allows optional IID installation for repeat DUI offenders whose violation involved only drugs, and first-time offenders whose violation did not involve injury.

IID Non-Compliance

The program requires DMV to suspend or revoke a person's IID-restricted DL upon notification that the person has failed to comply with the IID requirements.

NOTE: DL 921 forms with a revision date of 8/2013 will be obsolete and will not be accepted by DMV when the new regulations are adopted.

IID Removal

Once a person has completed all IID requirements, they may remove the IID from their vehicle. However, if a person removes an IID during their IID restriction period, DMV is required to suspend or revoke their IID-restricted DL.

IID Installation and Removal Request

IID installers may fax an Ignition Interlock Device (IID) Installation & Removal Request (DL 925) form to Mandatory Actions Unit (MAU) as an alternative to contacting MAU by phone.

Form Revisions

DMV is working to revise the DL 920, DL 921, DL 922, and DL 925 forms. When new regulations are adopted, DMV will release a supplemental Occupational Licensing memo regarding all form changes.

Background

Changes are being made to the IID program procedures, publications, and forms to comply with new legislation effective January 1, 2019.

Reference

California Vehicle Code §§13352, 13352.1, 13353.2, 13353.6, 13353.75, 13386, 23573, 23575, and 23575.3

Distribution

Notification that this memo is available at **dmv.ca.gov** was made via California DMV's Automated Email Alert System in January 2019 to the following:

- Ignition Interlock Device Program

Contact

Questions regarding this memo may be directed to the Occupational Licensing Compliance Unit at (916) 229-3154.