



IGNITION INTERLOCK DEVICE PROGRAM HANDBOOK

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CHAPTER 1

DETERMINING PARTICIPANTS ELIGIBILITY

1.0 Introduction

Review this entire chapter for a thorough understanding of issues related to participant eligibility.

Two **separate and distinct** IIDPs are currently operating within California: a judicial program managed by the courts and a licensing program managed by DMV.

Prior to installation of an IID, installers **must** contact the MAU to determine the participant's eligibility. Failure to verify this information may cause an inconvenience for the participant, and may increase costs for the installer.

NOTE: An Order of Suspension and/or Revocation is not proof of IIDP eligibility. MAU must be contacted to verify eligibility and authorize installation.

1.1 Participant Eligibility and Program Verification

MAU **must** be contacted prior to IID installation for authorization. MAU will determine eligibility based on the following criteria:

- **Eligible**—The participant meets, or will in five days meet, all requirements for an IIDP.
- **Not Eligible**—The participant does **not** meet DMV IIDP requirements.

NOTE: If the participant **does not** meet requirements for DMV IIDP, but has a court order for an IID, the participant **is required** to comply with the IID installation order for the court. This type of situation may not be regulated by DMV; instead, it may be between the installer, the participant, and the court. DMV defines this event as **Not Eligible, Court Ordered Installation**.

The MAU technician will inform the installer if a participant is not eligible, and **may** provide a brief explanation regarding the cause for ineligibility. The participant **must** sign an Ignition Interlock Device Installation and Removal Request (DL 925) form authorizing the release of specific information regarding eligibility to the installer. Upon receiving a signed DL 925, MAU may disclose certain information regarding participant ineligibility to the installer. This includes, if the participant must:

- Contact DMV for additional information regarding another action on the participant's driving record.
- Provide proof of enrollment in, or completion of, a drinking driver program (DDP).
- Submit a California Insurance Proof Certificate (SR 22).

The necessary installation form(s) will be determined based on the IIDP requirements. Multiple installation forms may need to be completed and maintained in the participant's program file (refer to Chapter 7, Participant's File Documentation).

Refer to Chapters 2 and 3 for more information regarding IIDP forms.

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CHAPTER 2 JUDICIAL IIDP FORMS

2.0 Introduction

The Administrative Office of the Courts (AOC) is responsible for ensuring that standard forms and procedures are developed for judicial programs to document decisions, results, and compliance to relevant agencies. The courts administer an IIDP under certain circumstances and may impose an IID restriction independent of, or in addition to, a DMV IID restriction. AOC contact information is available at www.courts.ca.gov/policyadmin-aoc.htm.

2.1 Program Eligibility

While MAU may monitor the judicial program for the court(s), the court(s) determine the IID requirements and IIDP duration. If DMV cannot confirm the information given by the participant, the participant **must** contact the court to fix the problem. To determine the IID form(s) needed for installation, the installer should contact the court. Any letter received from the court should reference the offense. Court contact information is available at www.courts.ca.gov.

2.2 Required Prospective Participant Contact Information

Prior to contacting the court, the installer **must** obtain the following information from the participant:

- Full name.
- Date of birth.
- Driver license or file number.
- Court order/docket number.

2.3 Court Forms

Court forms which may be obtained through the court website:

Form Number	Description	Attachment
ID-100	Order to Install Ignition Interlock Device	2A
ID-110	Ignition Interlock Installation Verification	2B
ID-120	Ignition Interlock Calibration Verification/Tamper Report	2C
ID-130	Ignition Interlock Noncompliance Report	2D
ID-140	Ignition Interlock Removal and Modification to Probation Order	2E
ID-150	Notice to Employers of Ignition Interlock Restriction	2F

Do not send copies of the court forms to DMV

Attachment 2A continued

Order to Install Ignition Interlock Device (ID-100)

SHORT TITLE: <hr/>	CASE NUMBER: <hr/>
-----------------------	-----------------------

WHAT IS A VIOLATION OF THIS ORDER?

1. Failure to have ignition interlock devices installed within 30 days of the date of this order.
2. Failure to return completed *Ignition Interlock Installation Verification* (form ID-110) to the court or probation department (as indicated on the reverse) within the time limit specified in this order.
3. Failure to comply three or more times with any requirement for the maintenance or calibration of the ignition interlock devices.
4. Failure to comply with any court order.
5. Default on any payment plan arranged with the installer or ordered by the court, resulting in failure to comply herewith, absent a showing in court of good cause.
6. If defendant has a valid driver's license, driving any vehicle without an ignition interlock device except as provided below and except for employer-owned vehicles required to be operated within the course and scope of employment. A motor vehicle owned by a business entity that is wholly or partly owned or controlled by defendant is not a motor vehicle owned by an employer subject to the exemption.
7. Failure to maintain current license and registration on any vehicle owned by defendant.
8. Failure to notify any person who rents, leases, or loans a motor vehicle to defendant of the restriction imposed by this order.
9. Requesting or soliciting any person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing defendant with an operable motor vehicle.
10. Tampering with or circumventing the operation of an ignition interlock device.

Under Vehicle Code section 23575 **only**, it is an affirmative defense to Violation Numbers 7, 8, and 9 if defendant can show that he or she leased, rented, or borrowed a vehicle for emergency use when no other feasible alternative was available, or for a bona fide business purpose when away from defendant's regular place of business.

WHAT WILL HAPPEN IF YOU VIOLATE THIS ORDER?

Under Vehicle Code section 23575, if a defendant fails to provide proof of installation within the ordered time limit, absent a showing of good cause, the court must notify the Department of Motor Vehicles.

YOUR RIGHTS

1. If you are required to install ignition interlock devices under Vehicle Code section 23575, and you have a medical condition that you believe prevents you from breathing with sufficient strength to activate the devices, you have the right to present a physician's statement to the court documenting the condition and to have the court determine whether the medical condition does make use of the devices medically impossible.
2. If your driving privilege has been revoked or suspended under Vehicle Code section 23575, and it is restored before the end of the period ordered herein for installation of the ignition interlock devices, you may petition the court to review whether continued restriction is necessary.

Defendant: Call the ignition interlock device installer within 48 hours of this order and arrange for the installation of the device(s). The court will provide you with a list of manufacturers certified by the Department of Motor Vehicles. Contact a certified manufacturer to locate an installer.

ID-100 [Rev. July 1, 2008]
ORDER TO INSTALL IGNITION INTERLOCK DEVICE
(Ignition Interlock Device)
Page 2 of 2

Attachment 2C

Ignition Interlock Calibration Verification/Tamper Report (ID-120)

ID-120	
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:</p>	<div style="border: 2px solid red; padding: 5px; color: red; text-align: center;"> <p>To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.</p> </div>
<p>NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:</p>	
<p>DATE OF COURT ORDER:</p>	
<p>IGNITION INTERLOCK <input type="checkbox"/> CALIBRATION VERIFICATION <input type="checkbox"/> TAMPER REPORT</p>	<p>CASE NUMBER:</p>

1. Defendant's name:

2. Installer's name:
Address:
City, state, ZIP:
Telephone:

3. Vehicles:

	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate No.</u>	<u>VIN</u>
a.						
b.						
c.						

4. This is the six-month yearly report (if relevant)

5. Installation date: a. b. c.

6. Odometer reading: a. b. c.

7. Calibration setting: a. b. c.

8. Unit serial No.: a. b. c.

9. Program to end (date):

10. The system is in calibration. a. b. c.

11. The system has been inspected and is functioning properly. a. b. c.

12. The ignition interlock devices installed in vehicles a. b. c. show evidence of tampering.
(Describe/additional comments):

13. Payment of \$ _____ + sales tax \$ _____ Total collected \$ _____ paid by

a. Credit card

b. Money order/cashier's check/certified check

c. Cash/personal check

I declare under penalty of perjury that the laws of the State of California that the foregoing is true and correct.

Date: _____

(SIGNATURE OF INSTALLER)

DEFENDANT: Your next monitoring check is (date): _____ . If you have not had your system serviced within seven days of the due date, the system will shut down and you will be unable to start your car. It will be your responsibility to have your car towed to the calibration location.

Your next payment of \$ _____ is due at the above monitoring check. Payment must be made in full before service is performed. If payment is not made, the system may shut down and you may not be able to start your car. This will result in a service call that will be your responsibility. You may be required to make an additional payment for late payments.

I acknowledge receipt of a copy of this form.

Date: _____

(SIGNATURE OF DEFENDANT)

Distribution: Court, Manufacturer or Manufacturer's Agent, Defendant, Probation Department Page 1 of 1

Form Approved for Optional Use
Judicial Council of California
ID-120 [Rev. July 1, 2005] Vehicle Code, § 23575
www.courtinfo.ca.gov

**IGNITION INTERLOCK CALIBRATION
VERIFICATION AND TAMPER REPORT**
(Ignition Interlock Device)

Attachment 2D

Ignition Interlock Noncompliance Report (ID-130)

NAME AND ADDRESS OF COURT: _____ _____	ID-130 <div style="border: 2px solid red; padding: 5px; text-align: center; color: red; font-weight: bold;"> To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished. </div>
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	CASE NUMBER:
IGNITION INTERLOCK NONCOMPLIANCE REPORT	

1. The above-named defendant has failed to make or keep an appointment for installing monitoring of the ignition interlock device(s) in the vehicle(s) checked below.

	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate No. and/or V.I.N.</u>
a.	<input type="checkbox"/>				
b.	<input type="checkbox"/>				
c.	<input type="checkbox"/>				

2. The ignition interlock device installed in the vehicle(s) checked below showed evidence of attempt(s) to bypass tampering attempt(s) to remove

	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate No. and or V.I.N.</u>
a.	<input type="checkbox"/>				
b.	<input type="checkbox"/>				
c.	<input type="checkbox"/>				

3. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

..... (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF FACILITY MONITOR)
-------------------------------	---	--

Name of facility monitor (*specify*): _____

Name of facility (*specify*): _____

Address of facility (*specify*): _____

Telephone number of facility (*specify*): _____

Form Approved for Optional Use Judicial Council of California ID-130 (Rev. January 1, 2000)	IGNITION INTERLOCK NONCOMPLIANCE REPORT (Ignition Interlock Device)	Vehicle Code, §§ 23575, 23576
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Attachment 2F

Notice to Employers of Ignition Interlock Restriction (ID-150)

ID-150	
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:</p>	<p style="color: red; font-weight: bold;">To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.</p>
<p>NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:</p>	
NOTICE TO EMPLOYERS OF IGNITION INTERLOCK RESTRICTION	CASE NUMBER:

INSTRUCTIONS TO DEFENDANT

You are required to provide this notice to any employer who owns a vehicle that you operate in the course and scope of your employment with that employer. You are also required to keep this notice in your possession or with your employer's vehicle.

NOTICE TO EMPLOYER

1. This is to inform the employers of the above named defendant that the defendant is required by court order to have installed, on all vehicles that the defendant owns or operates, an ignition interlock device pursuant to Vehicle Code section 23575 et seq.
2. This court order is effective *(date)*: _____ and will expire *(date)*: _____
3. Note: Vehicle Code section 23576 provides:

"If a person is required to operate a motor vehicle in the course and scope of his or her employment and if the vehicle is owned by the employer, the person may operate that vehicle without installation of an approved ignition interlock device if the employer has been notified by the person that the person's driving privilege has been restricted ... and ... the person has proof of that notification in his or her possession, or if the notice, or a similar copy thereof, is with the vehicle."
4. This notice satisfies the requirements of Vehicle Code section 23576.

Form Approved for Optional Use
 Judicial Council of California
 ID-150 [Rev. July 1, 2005]

**NOTICE TO EMPLOYERS OF
 IGNITION INTERLOCK RESTRICTION
 (Ignition Interlock Device)**

Page 1 of 1
 Vehicle Code, §§ 23575, 23576
 www.courtinfo.ca.gov

CHAPTER 3 DMV IIDP FORMS

3.0 Introduction

The DMV IIDP is managed by MAU and operates under several laws which dictate the length of time a participant may need an IID. A participant may be subject to more than one law. MAU is responsible for the accurate application of driver licensing sanctions mandated by law.

3.1 Contacting MAU to Determine Program Eligibility

When contacted to authorize an IID installation, the MAU technician will review the participant's driving record and advise the installer according to the information currently available (refer to Chapter 1, Determining Participants Eligibility).

NOTE: It is the participant's responsibility to resolve any circumstances that prohibit eligibility. The participant may contact MAU at (916) 657-6525 if he/she has any questions.

3.2 Required Prospective Participant Contact Information

Prior to contacting MAU, the installer must obtain the following information from the prospective participant:

- Full name
- Date of birth
- Driver license or file number

3.3 DMV Forms

Forms are as follows:

Form Number	Description	Attachment
DL 920	Verification of Installation Ignition Interlock	3A
DL 921	Notice of Non-Compliance Ignition Interlock	3B
DL 922	Ignition Interlock Notice of Removal	3C
DL 923	Notice to Employers Ignition Interlock Restriction	3D
DL 925	Ignition Interlock Device (IID) Installation & Removal Request	3E

3.4 Monitoring and Control

DL 920 and DL 922 forms are controlled and accounted for by DMV and the manufacturer.

Some control features include:

- A control number for tracking purposes.
- A watermark that will cause the word “VOID” to appear when photocopied.
- Order requests must be placed on company letterhead and signed by the authorized company designee.

If unused controlled forms are lost, stolen, or misplaced, the manufacturer **must immediately notify** local law enforcement. In addition, the manufacturer **must** provide a written report to DMV’s FAIS. The report must be on company letterhead and include the date the loss was detected, the control number(s) for each missing form, and the name of the police agency notified. Contact FAIS at:

Department of Motor Vehicles
Forms and Accountable Items Section
2570 24th Street, MS G202
Sacramento, CA 95818
Phone number: (916) 657-7837
Fax number: (916) 657-7243

3.5 Order Requests and Procedures

Order requests for DL 920 and DL 922 forms must be placed on company letterhead and signed by the authorized company designee. A manufacturer **must** submit signature samples on the manufacturer’s company letterhead to FAIS for all persons authorized to order controlled forms. An order **will not** be processed if the signature of the person requesting the order is not on file with FAIS.


Form order requests take approximately six weeks to process. The forms will be delivered by UPS or Priority Mail, and **will not** be delivered to a post office box. **Telephone or faxed requests will not be accepted;** it is recommended that manufacturers order at least a three month supply. Upon receipt of the order, manufacturers must inspect the shipment. Discrepancies should be immediately reported to FAIS using the information listed in Section 3.40. Forms are shipped in packages of 25.

Online DL 921 and DL 925 forms may be printed as needed and are available at **www.dmv.ca.gov**.

NOTE: DL 923 is an IIDP form used to allow the participant to operate a motor vehicle without an IID if the person is required to operate a motor vehicle in the course and scope of his or her employment and all requirements have been met. This form may not be used for any vehicles registered to the IIDP participant. A manufacturer is not required to maintain a supply of this form. If an IIDP participant requests a DL 923, refer them to MAU at 916-657-6525.

Attachment 3A

Verification of Installation Ignition Interlock (DL 920)

<p>NOT VALID WITHOUT MANUFACTURER'S STAMP</p>		<p>920</p>
<p>VERIFICATION OF INSTALLATION IGNITION INTERLOCK (See back for instructions)</p>		DRIVER LICENSE NUMBER
SECTION I DRIVER INFORMATION		
DRIVER'S NAME (FIRST, MIDDLE, LAST)		SUFFIX (JR., SR., III)
MAILING ADDRESS (STREET)		APARTMENT/SPACE NUMBER
CITY	STATE	ZIP CODE
RESIDENCE ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)		APARTMENT/SPACE NUMBER
CITY	STATE	ZIP CODE
BIRTH DATE (MONTH, DAY, YEAR) / /	HOME TELEPHONE NUMBER ()	WORK TELEPHONE NUMBER ()
SECTION II MANUFACTURER/FACILITY INFORMATION The following facility installed this device manufactured by:		
MANUFACTURER		
FACILITY NAME		LICENSE NUMBER (SEE BACK FOR DEFINITIONS)
FACILITY ADDRESS (STREET)		CITY STATE ZIP CODE
SECTION III IGNITION INTERLOCK DEVICE INFORMATION		
DATE OF INSTALLATION		DATE OF NEXT MONITOR CHECK (OPTIONAL)
SECTION IV VEHICLE INFORMATION An ignition interlock device was installed on the following vehicle:		
VEHICLE MAKE	YEAR	LICENSE PLATE NUMBER
VEHICLE IDENTIFICATION NUMBER		
SECTION V FACILITY INSPECTION AFTER NOTICE OF NON-COMPLIANCE		
DATE OF MOST RECENT NOTICE OF NON-COMPLIANCE		DATE OF INSPECTION OF IGNITION INTERLOCK DEVICE
<input type="checkbox"/> An ignition interlock device remains installed in the above vehicle and is functioning properly. <input type="checkbox"/> The above driver is currently in compliance with the ignition interlock maintenance and calibration requirements.		
SECTION VI UNAVAILABLE VEHICLE		
VEHICLE MAKE	YEAR	LICENSE PLATE NUMBER
VEHICLE IDENTIFICATION NUMBER		
SECTION VII FACILITY USE ONLY		
<p><i>I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</i></p>		
INSTALLER'S PRINTED NAME		DAYTIME TELEPHONE NUMBER ()
INSTALLER'S SIGNATURE X		DATE
<p>DISTRIBUTE COPIES AS FOLLOWS:</p> <p>Original : Department of Motor Vehicles Photocopy : Driver, Installer, Manufacturer or Manufacturer's Agent</p>		
DL 920 (REV. 6/2014)		

Attachment 3A (Continued)

Verification of Installation Ignition Interlock (DL 920)

INSTRUCTIONS FOR COMPLETING INSTALLATION VERIFICATION FORM

INSTRUCTIONS TO THE INSTALLER

When completing the Verification of Installation Ignition Interlock (DL 920), you must check the box to indicate if you are licensed through Bureau of Automotive Repair (BAR) or Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (BEARHFTI). Be sure to retain a photocopy of the completed form for your records. Submit a photocopy to the manufacturer or the manufacturer's agent. The original and one (1) photocopy must be given to the driver.

If the driver has devices installed on two or more vehicles, complete a separate installation verification form for each vehicle. Complete each form in its entirety and emboss with the required seal. Information from this form will become part of the driver's DMV record. The form could be used as evidence in court. For this reason, it is very important that the information on this form be easy to read, complete, and accurate.

If this installation is replacing an installation that occurred on a vehicle that has become unavailable due to theft, fire, or other means, complete Sections II, III and IV on the replacement vehicle and Section VI on the unavailable vehicle.

If a previous Notice of Non-Compliance (DL 921) form was submitted to DMV for a customer who has been ordered to maintain an IID and the customer is now back in compliance with the IID requirements, please complete Sections I-IV of this form with information regarding the original installation, and complete Section V "*Facility Inspection after Notice of Non-Compliance*" to verify that the device remains installed, is functioning properly, and the driver is again in compliance with the IID requirements.

NOTE: Customers are to retain a photocopy of this form for their records. Have them submit the original documents and all applicable fees in person to the nearest DMV office or mail to:


Department of Motor Vehicles
Mandatory Actions Unit, M/S J233
P.O. Box 942890
Sacramento, CA 94290-0001

If you have any questions regarding how to complete this form and/or if a customer needs to obtain information about applicable fees call Mandatory Actions Unit (916) 657-6525.



Attachment 3B

Notice of Non-Compliance Ignition Interlock (DL 921)

 <p>STATE OF CALIFORNIA DMV DEPARTMENT OF MOTOR VEHICLES A Public Service Agency</p>	<p>NOTICE OF NON-COMPLIANCE IGNITION INTERLOCK</p>	<p>921</p>		
		<table border="1" style="width: 100%;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%;">DRIVER LICENSE NUMBER</td> </tr> </table>		DRIVER LICENSE NUMBER
	DRIVER LICENSE NUMBER			
SECTION 1 — DRIVER INFORMATION				
DRIVER'S NAME (FIRST, MIDDLE, LAST)		SUFFIX (JR., SR., III)		
MAILING ADDRESS (STREET)		APARTMENT/SPACE NUMBER		
CITY	STATE	ZIP CODE		
RESIDENCE ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)		APARTMENT/SPACE NUMBER		
CITY	STATE	ZIP CODE		
BIRTH DATE (MONTH, DAY, YEAR)	HOME TELEPHONE NUMBER ()	WORK TELEPHONE NUMBER ()		
SECTION 2 — MANUFACTURER/FACILITY INFORMATION (The following facility previously installed this device manufactured by)				
MANUFACTURER				
FACILITY NAME	BUREAU OF AUTOMOTIVE REPAIR NUMBER			
FACILITY ADDRESS				
SECTION 3 — IGNITION INTERLOCK DEVICE INFORMATION (The following device was in non-compliance)				
SERIAL NUMBER		DATE OF INSTALLATION		
SECTION 4 — VEHICLE INFORMATION (The following interlock device was in the following vehicle)				
MAKE	YEAR	LICENSE PLATE NUMBER		
		VEHICLE IDENTIFICATION NUMBER		
SECTION 5 — IID NON-COMPLIANCE INFORMATION				
The IID installed in the above vehicle shows evidence of:		The above driver failed three or more times to comply with the requirement for maintenance or calibration of the IID:		
Attempt(s) to bypass on:	DATE	1st Failure to comply on: DATE		
Tampering on:	DATE	2nd Failure to comply on: DATE		
Attempt(s) to remove on:	DATE	3rd Failure to comply on: DATE		
SECTION 6 — FACILITY USE ONLY				
<i>I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing information is true and correct.</i>				
INSTALLER'S PRINTED NAME		DAYTIME TELEPHONE NUMBER ()		
INSTALLER'S SIGNATURE	DATE SENT TO DMV	DATE SIGNED		
X				
DISTRIBUTE COPIES AS FOLLOWS:				
<p>Original : Mail to: Department of Motor Vehicles Mandatory Actions Unit, M/S J233 PO Box 942890 Sacramento, CA 94290-0001</p>	<p>Copy : Driver Copy : Installer Copy : Manufacturer or Manufacturer's Agent</p>			
DL 921 (REV 8/2013) WWW				

Attachment 3B (Continued)

Notice of Non-Compliance Ignition Interlock (DL 921)



INSTRUCTIONS FOR NON-COMPLIANCE FORM

INSTRUCTIONS TO INSTALLER

The original copy of this form must be mailed to DMV at the address below within three working days after non-compliance is noted. You may also fax a copy of this form to (916) 657-8513.

Department of Motor Vehicles
Mandatory Actions Unit M/S J233
PO Box 942890
Sacramento, CA 94290-0001

If you have any questions regarding how to complete this form, including what constitutes non-compliance, call (916) 657-6525.

INSTRUCTIONS FOR SECTION 5

Enter the dates on which the non-compliance occurred. If the non-compliance (bypass, tampering, removal attempts) was recorded by the ignition interlock data recorder, put the dates recorded on the blank lines. If the tampering was noticed when you checked the vehicle, but was not recorded on the data recorder, use the date you saw the evidence of tampering.


IMPORTANT: Whenever you report non-compliance based on information recorded on the ignition interlock device, print out a copy of any non-compliance incidents recorded. Attach this printout to your copy of the non-compliance form and keep for your records. These documents could be subpoenaed in a court case and DMV could request copies.

If the driver has not arranged to have the device serviced at sixty day intervals, or has repeatedly missed appointments for servicing, these dates should be listed in Section 5 as "Failed to comply" dates.

If the driver misses the appointment for servicing at the sixty day interval, and does not contact you to reschedule, you must schedule another appointment for a date within seven days of the missed appointment. You must notify the driver of the new appointment by mail, and by telephone, if possible. If the driver misses the appointment, and does not contact you to reschedule, you must schedule another appointment for a date within seven days of the missed appointment. Once again, you must notify the driver of the new appointment by mail, and by telephone, if possible. If the driver does not keep this third appointment, report the non-compliance to the department.

Attachment 3C

Ignition Interlock Notice of REMOVAL (DL 922)

<div style="border: 1px solid black; padding: 5px; width: 100px; height: 100px; margin: auto;"> <p style="text-align: center; font-size: small;">NOT VALID WITHOUT MANUFACTURER'S STAMP</p> </div>	 <p style="font-size: x-small;">STATE OF CALIFORNIA DEPARTMENT OF MOTOR VEHICLES A Public Service Agency</p>	<p style="font-size: large; font-weight: bold;">922</p> <p style="text-align: center; font-weight: bold; font-size: large;">IGNITION INTERLOCK NOTICE OF REMOVAL</p> <p style="text-align: center;">(See back for instructions)</p>		
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; height: 20px;"> </td> <td style="width: 20%; font-size: x-small;">DRIVER LICENSE NUMBER</td> </tr> </table>		DRIVER LICENSE NUMBER
	DRIVER LICENSE NUMBER			
SECTION I DRIVER INFORMATION				
DRIVER'S NAME (FIRST, MIDDLE, LAST)		SUFFIX (JR., SR., III)		
MAILING ADDRESS (STREET)		APARTMENT/SPACE NUMBER		
CITY	STATE	ZIP CODE		
RESIDENCE ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)		APARTMENT/SPACE NUMBER		
CITY	STATE	ZIP CODE		
BIRTH DATE (MONTH, DAY, YEAR) / /	HOME TELEPHONE NUMBER ()	WORK TELEPHONE NUMBER ()		
SECTION II REMOVAL/INSTALLATION INFORMATION				
THE IGNITION INTERLOCK DEVICE INSTALLED IN THE VEHICLE DESCRIBED BELOW WAS REMOVED ON: _____ DATE				
VEHICLE MAKE	YEAR	LICENSE PLATE NUMBER		
VEHICLE IDENTIFICATION NUMBER				
AN IGNITION INTERLOCK DEVICE WAS INSTALLED AND REMAINS INSTALLED IN ANOTHER VEHICLE DESCRIBED BELOW:				
VEHICLE MAKE	YEAR	LICENSE PLATE NUMBER		
VEHICLE IDENTIFICATION NUMBER				
DATE OF INSTALLATION	DATE OF NEXT MONITOR CHECK			
SECTION III MANUFACTURER/FACILITY INFORMATION				
MANUFACTURER				
FACILITY NAME		BUREAU OF AUTOMOTIVE REPAIR NUMBER		
FACILITY ADDRESS (STREET)	CITY	STATE ZIP CODE		
SECTION IV FACILITY USE ONLY				
I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.				
INSTALLER'S PRINTED NAME		DAYTIME TELEPHONE NUMBER ()		
INSTALLER'S SIGNATURE X	DATE SENT TO DMV	DATE		
DISTRIBUTE COPIES AS FOLLOWS:				
Original:	Mail the original document to: Department of Motor Vehicles Mandatory Actions Unit, M/S J233 P.O. Box 942890 Sacramento, CA 94290-0001			
Photocopy:	Driver			
Photocopy:	Installer			
Photocopy:	Manufacturer or Manufacturer's Agent			
DL 922 (REV. 4/2012)				

Attachment 3C continued

Ignition Interlock Notice of Removal (DL 922)

INSTRUCTIONS FOR NOTICE OF REMOVAL

INSTRUCTIONS TO INSTALLER

The original document must be mailed to DMV at the address below within three working days after the device is removed. You may also fax a copy of this form to (916) 657-6001.

Department of Motor Vehicles
Mandatory Actions Unit, M/S J233
P.O. Box 942890
Sacramento, CA 94290-0001

If you have any questions regarding how to complete this form, call (916) 657-6525.

INSTRUCTIONS FOR SECTION II

Note: Do not use this form when another device is immediately installed as a replacement in the same vehicle.

Note the date the device was removed. If you are installing the device in another vehicle, or if another device will remain installed in a different vehicle, please provide all the information requested about this separate installation. This will alert DMV that a device has been installed in a different vehicle, or another device remains installed in a second vehicle. This information is critical for the customer to continue driving. If DMV is not notified of the new installation, or is not aware of the device's installation in a second vehicle, the customer's driving privilege will be suspended or revoked. There is no "grace period" allowed between removal of one device and installation of another. For this reason, installation of a replacement device should occur on the same date (or before) the removal of an ignition interlock device occurs.



WARNING TO DRIVER

You are required to maintain an ignition interlock device at all times for the duration of the ignition interlock restriction. There is "no grace" period, therefore installation on another vehicle is required to avoid suspension or revocation.

DL 922 (REV. 4/2012)


Attachment 3D

Notice to Employers Ignition Interlock Restriction (DL 923)

 <p>STATE OF CALIFORNIA DEPARTMENT OF MOTOR VEHICLES A Public Service Agency</p>	<p>923</p>	
<p>NOTICE TO EMPLOYERS IGNITION INTERLOCK RESTRICTION</p>		
<p>SECTION I DRIVER INFORMATION</p>		
<p>DRIVER'S NAME (FIRST, MIDDLE, LAST)</p>	<p>SUFFIX (JR., SR., III)</p>	
<p>SECTION II INSTRUCTIONS TO DRIVER</p>		
<p>You are required to provide this notice (or its equivalent) to any employer who owns a vehicle that you operate in the course and scope of employment with that employer. You are also required to keep this notice in your possession or with your employer's vehicle.</p> <p style="text-align: center;">YOU MAY NOT DRIVE WITHOUT A VALID DRIVER LICENSE</p>		
<p>SECTION III NOTICE TO EMPLOYER: RETAIN A COPY OF THIS NOTICE FOR YOUR FILES</p>		
<p>This is to inform the employer(s) of the above named driver that he/she is required to have installed in any vehicle(s) that the driver operates, an ignition interlock device pursuant to California Vehicle Code (CVC) §13352.</p> <p>CVC §23576 provides:</p> <p style="padding-left: 40px;">“[I]f a person is required to operate a motor vehicle in the course and scope of his or her employment and if the vehicle is owned by the employer, the person may operate that vehicle without installation of an approved ignition interlock device if the employer has been notified by the person that the person's driving privilege has been restricted... and if the person has proof of that notification in his or her possession, or if the notice, or a facsimile copy thereof, is with the vehicle.”</p> <p>However, if a business entity is totally or partially owned or controlled by the person subject to this restriction, then the person is not eligible under CVC §23576 to drive a vehicle without an ignition interlock device installed.</p> <p>This notice satisfies the requirements of CVC §23576.</p>		
<p>SECTION IV EMPLOYER INFORMATION (PRINT IN INK ONLY)</p>		
<p>EMPLOYER'S NAME</p>		
<p>BUSINESS NAME</p>	<p>TELEPHONE NUMBER ()</p>	
<p>BUSINESS ADDRESS (STREET)</p>		
<p>CITY</p>	<p>STATE</p>	<p>ZIP CODE</p>
<p>SECTION V EMPLOYER'S USE ONLY</p>		
<p>I certify under penalty of perjury under the laws of the State of California that I have been notified by my employee as required pursuant to CVC §23576.</p>		
<p>EMPLOYER'S SIGNATURE X</p>	<p>DATE</p>	
<p>Distribute copies as follows:</p> <p style="padding-left: 40px;">Original: Employer</p> <p style="padding-left: 40px;">Copy : Driver</p>		
<p>DL 923 (R5/2012) </p>		

Attachment 3E

Ignition Interlock Device (IID) Installation & Removal Request (DL 925)

 STATE OF CALIFORNIA DEPARTMENT OF MOTOR VEHICLES A Public Service Agency	IGNITION INTERLOCK DEVICE (IID) INSTALLATION & REMOVAL REQUEST	925
CLEARLY PRINT information and fax to DMV at (916) 657-9042		
SECTION 1 — DRIVER INFORMATION		
DRIVER LICENSE NUMBER		BIRTH DATE (MM/DD/YYYY)
FULL NAME (LAST NAME)		FIRST NAME MIDDLE NAME
SECTION 2 — INSTALLER INFORMATION		
DATE OF REQUEST (MM/DD/YYYY)		REQUEST IS FOR: <input type="checkbox"/> Installation <input type="checkbox"/> Removal
IID INSTALLER NAME		INSTALLER LICENSE NO.:
STREET ADDRESS		CITY STATE ZIP CODE
CONTACT NAME		
PHONE NUMBER () Ext		FAX NUMBER ()
FOR DMV USE ONLY — ELIGIBILITY FOR INSTALLATION OR REMOVAL		
For IID Installation		For IID Removal
ELIGIBLE ON	NUMBER OF MONTHS IID REQUIRED	REASON FOR REMOVAL
Submit <input type="checkbox"/> DL 920 <input type="checkbox"/> DL 924 <input type="checkbox"/> ID-110		<input type="checkbox"/> Not eligible
<input type="checkbox"/> No, not eligible <input type="checkbox"/> Court ordered		
Unsigned requests are only entered to the information above.		
SECTION 3 — DRIVER AUTHORIZATION		
I hereby authorize the Department of Motor Vehicles to provide the information listed below for a full assessment of the IID eligibility requirements:		
NAME OF IID INSTALLER		DRIVER'S SIGNATURE X
		DATE
FOR DMV USE ONLY — ADDITIONAL REQUIREMENTS		
If not eligible for IID installation, driver needs: <input type="checkbox"/> Suspension/Revocation not completed <input type="checkbox"/> Enrollment for _____-month program <input type="checkbox"/> Completion of 12 months of 18-month program <input type="checkbox"/> Completion of 12 months of 30-month program <input type="checkbox"/> SR 22 proof of financial responsibility <input type="checkbox"/> _____ Fee \$ _____ <input type="checkbox"/> Other outstanding action: customer must contact DMV at (916) 657-6525 for additional information <input type="checkbox"/> This request contains insufficient/incorrect information. Please provide items checked above and resubmit. <input type="checkbox"/> _____		If not eligible for IID removal, driver needs: <input type="checkbox"/> Completion of _____-month program <input type="checkbox"/> IID term not completed <input type="checkbox"/> Contact county court (see below) <input type="checkbox"/> Other: _____
MAU Technician ID _____		Date Faxed to Installer _____
This information is intended only for the use of the IID Installer to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this in error, please notify us immediately at (916) 657-8739.		
DL 925 (REV. 3/2011) WWW		

CHAPTER 4

IID INSTALLATION AND REMOVAL

4.0 Introduction

IID installations and/or removals **should not** occur until MAU is contacted. The original DL 920 must be given to the participant to submit in person at a local DMV field office, or mailed along with the appropriate fees to the following address:

Department of Motor Vehicles
Mandatory Actions Unit, MS J233
PO Box 942890
Sacramento, CA 94290-0001

If an IIDP participant has specific questions regarding an IID removal date, instruct the participant to call MAU at (916) 657-6525.

4.1 Installation

When completing a standard IID installation, the installer completes Sections I—IV and Section VII on the DL 920. The installer maintains a photocopy of the form within the participant's file (refer to Chapter 7, Participant's File Documentation) and submits a photocopy to the manufacturer. The original and one photocopy **must** be given to the participant.

If the participant has devices installed on two or more vehicles, the installer **must** complete a separate installation verification form for each vehicle. Each form **must** be completed entirely, accurately, without alterations, and must be stamped or embossed with the required seal. Any forms containing alterations **will not** be accepted by DMV.

4.2 Change of Vehicle

Removing an IID from a participant's vehicle and reinstalling the IID into another vehicle operated by the same participant is recorded in Section 2 of the DL 922. The first portion of the section identifies the vehicle that the IID was removed from and the second portion of the form identifies the vehicle in which the IID was reinstalled.

Fax a copy of the DL 922 to MAU within three working days to expedite the update of this information to the participants driving record. **Mail the original DL 922 to MAU.**

4.3 Unavailable Vehicle (Stolen, Destroyed, Etc.)

If a vehicle with an installed IID becomes unavailable due to theft, fire, or other means, the installer **must** adequately update the participant's file with any available documentation and/or a comment referencing the unavailable vehicle. **No further documentation is necessary.** It is not necessary for the installer to complete a DL 921 or DL 922 to inform MAU of the unavailable vehicle.

4.4 Replacement Vehicle (Unavailable Vehicle Replacement)

If the participant obtains a new or replacement vehicle, DL 920 Section VI, Unavailable Vehicle is completed with the unavailable vehicle's information and Sections IV Vehicle Information is completed with the replacement vehicle's information. The 60-day service interval is required and begins when the IID is installed.

4.5 Change of Manufacturer

The following pertains to a participant electing to change from one manufacturer's IID service provider to another.

1. Preliminary Information:
 - DMV approval is not required for this type of transaction.
 - If the IID is not removed by the installer, damage to the IID or internal log may occur and can be considered an attempt to tamper with or bypass the IID. The removal of the installed IID should be in cooperation with the previous installer to avoid damage, noncompliance, and/or early removal.
2. Participant Information:
 - Program compliance **must** be maintained at all times during the transfer. During the transition, the participant **cannot** operate a vehicle without an IID.
 - The IID **cannot** be removed or installed by anyone other than an authorized installer.
 - The participant is responsible for resolving all required contract issues related to changing providers. DMV has no jurisdiction over contractual agreements.
 - The participant is responsible for acquiring a provider willing to accommodate the participant and collaborate with the current provider for removal of the installed IID.
 - The participant should assist with communication between service providers to ensure a compliant transition.
3. IID Removal and Installation:
 - Record the installation using a DL 920.
 - When the removal and installation are simultaneous, the DL 920 and DL 922 forms should be stapled together and submitted to DMV to demonstrate that IID coverage was uninterrupted.
 - When the removal and installation are not simultaneous, IIDP compliance may be an issue. If this situation occurs, the participant must ensure that he/she does not operate a vehicle without an IID.

EXAMPLE: The installed IID is removed by the current service provider and the vehicle is driven to the new service provider for installation of the new IID. The participant must have someone else transport the vehicle between the providers to maintain IIDP compliance.
 - The new installer must develop a participant's file and document the installation.
 - The prior installer must close the participant's file once all transfer information is received. If the prior installer is not involved in the transfer, the closure of the participant's file **cannot** occur and a DL 921 may be submitted.
 - The removed IID should be immediately returned to the applicable installer. Failure to return the IID may result in legal action by the rightful owner.
 - Record the removal using a DL 922 and submit the form to MAU **within three working days** so the driving record can be updated.

4.6 Removal

When the installer completes a standard removal of an IID for a participant, Sections I—IV of the DL 922 must be completed and submitted to MAU within **three working days**. A photocopy of the completed form should be placed in the participant's file and a photocopy given to the participant. This form should not be used when another device is immediately installed as a replacement in the same vehicle by the same manufacturer or installer.

4.7 Reporting a Notice of Removal Error

If a DL 922 was submitted due to an administrative error, a letter may be submitted to MAU. The letter must be written on company letterhead and contain the following:

- Date.
- Driver's full name as it appears on the DL 922.
- Driver license or file number.
- License plate number (if not applicable write "No plate").
- Date of noncompliance (as reported on the DL 922).
- BAR or BEARHFTI number.
- IID manufacturer's name.
- The DL 922 was submitted in error.
- Authorized signature of the manufacturer or installer.

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CHAPTER 5

IIDP NONCOMPLIANCE

5.0 Noncompliance Terms

Attempt to Remove—The attempted removal of the IID prior to the termination date of the IID restriction by an unauthorized installer.

Bypass—Circumvention, failing to take and pass a rolling retest prior to turning off the vehicle's engine, and/or failing to take a rolling retest three consecutive times.

Tamper—Any overt or conscious attempt to alter, physically disable, or disconnect the IID from its power source, and thereby allow a person with a breath alcohol concentration above the set point to start the engine.

5.1 Participant Noncompliance

A participant is deemed noncompliant if one or more of the following occur:

- The participant has the IID removed prior to the termination date of the IID restriction.
- There is an indication the participant has attempted to remove, bypass, or tamper with the IID.
- The participant fails three or more times to comply with any requirement for the maintenance or calibration of the IID.

5.2 Failure to Maintain or Calibrate IID

An IID is required to be serviced at intervals not to exceed 60 days. Service includes, but is not limited to: calibrating of the IID, monitoring the data contained within the IID's memory, and physically inspecting the IID and vehicle for tampering.

If a participant fails to keep the **first** appointment for recalibration and does not contact the installer to reschedule the appointment for service, the installer **must** schedule another appointment within **seven days** of the missed appointment. The installer **must** notify the participant of the new appointment by mail **and** telephone.

If the participant fails to keep the **second** appointment, and does not contact the installer to reschedule the appointment, the installer **must** schedule a third appointment within **seven days** of the missed appointment. The installer **must** notify the participant of the new appointment by mail **and** telephone.

If the participant fails to keep the **third** appointment, the installer **must** report the participant's noncompliance to DMV within **three days**.

NOTE: If the participant is unable to return the vehicle for recalibration within 60 days due to military service, a family death, or similar event beyond the control of the participant, and the participant can provide adequate documentation to the satisfaction of the installer prior to reporting noncompliance, the recalibration appointment may be rescheduled at the discretion of the installer. A copy of the documentation must be included in the participant's file (refer to Chapter 7, Participant's File Documentation).

5.3 Reporting Noncompliance

An installer must report to the court and/or MAU within **three working days** any evidence of the following:

- Removing the IID.
- Attempting to remove the IID.
- Bypassing the IID.
- Tampering with the IID.
- Failing three or more times to comply with any requirements for the maintenance or calibration of the IID.

When reporting such evidence to MAU, the installer must complete the DL 921.

When reporting such evidence to the court, the installer must complete the ID-130.

5.4 Reporting a Notice of Noncompliance Error

If a DL 922 was submitted due to an administrative error, a letter may be submitted to MAU. The letter must be written on company letterhead and contain the following:

- Date.
- Driver's full name as it appears on the DL 921.
- Driver license or file number.
- License plate number (if not applicable write "No plate").
- Date of noncompliance (as reported on the DL 921).
- BAR or BEARHFTI number.
- IID manufacturer's name.
- That the DL 922 was submitted in error.
- Authorized signature of the manufacturer or manufacturer's agent.

CHAPTER 6

EMERGENCY SERVICE AND OUT-OF-STATE TRAVEL

6.0 Introduction

An IIDP participant may not operate a vehicle without a functioning IID at any time, while traveling in state or out of state. If a participant travels out of state, he/she must maintain **California** IIDP compliance. Out-of-state residents who are required to have an IID restricted license are prohibited from operating a vehicle in California unless the vehicle is equipped with a functioning IID.

6.1 Emergency Service

Installers are required to provide a 24-hour emergency phone number to participants. Services provided by the installer must include technical information, towing, and/or road service. The IID must be made functional or replaced within 48 hours of the initial call.

6.2 Participant Traveling Out-of-State

Although not required, an IIDP participant intending to travel out of state should notify the installer prior to traveling to avoid a possible service conflict. If a service appointment is due during the out-of-state travel, the participant should request to have the IID serviced prior to leaving the state.

If emergency services are required while a participant is traveling out of state, the California installer is responsible for ensuring service by an out-of-state installer meets California IIDP requirements.

6.3 Malfunctioning IID

When a participant who is out of state contacts a California installer regarding a malfunctioning IID, the installer is required to provide a solution that resolves the problem while maintaining California IIDP compliance. In many cases, the problem can be resolved over the phone. However, when it cannot, the installer may need to refer the participant to the nearest out-of-state IID installer or another IID manufacturer. The California installer will work with the out-of-state IID installer to ensure a satisfactory result is achieved.

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CHAPTER 7

PARTICIPANT'S FILE DOCUMENTATION

7.0 Introduction

The option to maintain a single file for each IIDP participant, or maintain separate files for court and DMV programs, is at the discretion of the installer. DMV encourages detailed file documentation. The participant's file should accurately reflect event documentation, which includes, but is not limited to:

- Inserting a document into the participant's file (DL 920 or ID 110).
- A brief description of the event (customer came in for 60-day calibration, etc.).

When it comes to the participant's file, always err on the side of caution—more documentation is better than less.

7.1 MAU Information

It is highly recommended that the information provided by MAU be included in a participant's file. Participant ineligibility situations should also be documented in case an event needs to be referenced (such as participant identity, the date MAU was contacted, point of contact, cause of ineligibility, etc.).

7.2 File Requirements

Participant files **must** be retained for a minimum of five years after the IID is removed and must be readily available for possible inspection by DMV.

Documentation to be retained within each participant file includes, but is not limited to:

- A copy of the installation form(s).
- Documentation of 60-day services, including, but not limited to, copies of calibration results and service summary reports.
- Any noncompliance documentation.
- A copy of the removal forms.

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CHAPTER 8 BAR/BEARHFTI AND IIDP REGULATIONS

8.0 Introduction

An IID manufacturer **must** only refer a participant to an authorized installer who meets all California BAR requirements and holds a valid BAR or BEARHFTI license, for installation of an IID.

8.1 DMV IID Installation Requirements

Section 125.10 of Title 13 of the *California Code of Regulations* (CCR), entitled “Referral to an Authorized Installer,” states that a manufacturer shall only refer a driver participating in an IIDP to an authorized installer who meets the requirements in Sections 3363.1–3363.4 of Title 16 of the CCR. The manufacturer **must** ensure an authorized installer complies with the installation procedures established in Title 16 of the CCR.

8.2 BAR IID Installation Requirements

Sections 3363.1–3363.4 of Title 16 of the CCR are relevant to the BAR IID installation requirements, as follows:

CCR§3363.1 Ignition Interlock Devices

IID standards apply to the installation, maintenance, or service of electrical devices installed in a motor vehicle that measures a motorist’s breath sample for alcohol content, and on the basis of that measurement, allows or does not allow the vehicle’s starter to be energized.

CCR §3363.2 Ignition Interlock Device Manufacturer’s Responsibilities

The manufacturer of an IID shall develop detailed written instructions regarding the installation of the device.

CCR §3363.3 Authorized Installer of Ignition Interlock Devices

An automotive repair dealer, as defined in Sections 9880.1 and 9884.6 of the *California Business and Professions Code* (CBPC), may install, maintain, and service an IID pursuant to this section.

- CBPC §9807(a) Notwithstanding any other law, a service dealer licensed under this chapter and authorized to engage in the electronic repair industry, as defined in subdivision (p) of Section 9801, may install, calibrate, service, maintain, and monitor ignition interlock devices.
- CBPC §9880.1(a) “Automotive repair dealer” means a person who, for compensation, engages in the business of repairing or diagnosing malfunctions of motor vehicles.
- CBPC §9884.6(a) it is unlawful for any person to be an automotive repair dealer unless that person has registered in accordance with this chapter and unless that registration is currently valid.

CCR §3363.4 Installation Standards Applicable to IIDs

An automotive repair dealer who installs, maintains, or services an IID shall:

- a. Prohibit customers or other unauthorized persons from observing the installation, maintenance, or service of an IID.
- b. Have all tools, test equipment, and manuals needed to install an IID and to screen vehicles for acceptable mechanical and electrical conditions prior to installation.
- c. Provide adequate security measures to prevent unauthorized persons from accessing secured materials (tamper seals or installation instructions).
- d. Install an IID in a vehicle taking into account the condition of the vehicle's mechanical and electrical systems.
- e. Install an IID following accepted trade standards and instructions from the IID manufacturer.
- f. Verify that the IID is functioning properly after it has been installed in the vehicle.
- g. Ensure that an IID is not installed in a manner that could adversely affect the performance of the IID device or impede the safe operation of the vehicle.
- h. Restore a vehicle to its original condition when an IID is removed. All severed wires must be permanently reconnected and insulated with heat shrink tubing or equivalent.

8.3 Display of BAR/BEARHFTI Certificate of Registration

Pursuant to Section 3351.3(a) of Title 16 of the CCR, a current and valid certificate of registration issued by BAR or BEARHFTI shall be displayed in a place and manner conspicuous to customers.

- A license shall be issued for **each location** where compensated automotive repair services are provided.
- The **original** BAR or BEARHFTI license **must** be conspicuously displayed at the location indicated on the license.
- A license will not be issued to a post office box address. The address listed on the license shall be the address where the installer is **physically** located.

8.4 Contact Information

Refer to the Contact Information on page ii for BAR/BEARHFTI.

APPENDIX

California Code of Regulations (CCR)

Article 2.55

California Ignition Interlock Device Program

§ 125.00. Definitions.

As used in this article, the following definitions shall apply:

(a) “Ignition interlock device” is a device designed to allow a vehicle ignition switch to start the engine when the breath alcohol concentration test result is below the alcohol setpoint, while locking the ignition when the breath test results is at or above the alcohol setpoint.

(b) The “alcohol setpoint” is the breath alcohol concentration at which the ignition interlock device is set to lock the ignition. The alcohol setpoint is the nominal lockpoint at which the ignition interlock device is set at the time of calibration. The lockout setting shall be at 0.03 percent breath alcohol concentration.

(c) “Bypass” of an ignition interlock device, as used in Vehicle Code section 23575, shall mean the same as “circumvention” as contained in the federal model specifications for breath alcohol ignition interlock devices as published by notice in the Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, pages 11774-11787.

(d) To “tamper” with an ignition interlock device, as used in Vehicle Code section 23575, means an overt, conscious attempt to alter, physically disable, or disconnect the ignition interlock device from its power source, and thereby allow a person with a breath alcohol concentration above the setpoint to start the engine. Examples of tampering with an ignition interlock device include, but are not limited to, the following:

- (1) Altering the wiring of the vehicle which will allow the starting of the vehicle without blowing a passing test.
- (2) Modifying the functionality of the breath unit.
- (3) Altering, deleting, or modifying the electronic log.

(e) “Manufacturer” means any individual, partnership, or corporation engaged in the manufacturing or assembling of ignition interlock devices.

(f) An “authorized installer” is a designee of the manufacturer who is responsible for ensuring that the manufacturer’s ignition interlock devices are properly installed, calibrated, serviced, and monitored; and is responsible for the completion of all required forms, and maintenance of all files.

(g) “Participant file” is a tangible file used to retain and maintain all records and documents directly associated with, but not limited to, the installation, calibration, servicing, monitoring and removal of the ignition interlock device(s) related to a program participant.

(h) “Electronic log” is a record of the vehicle use and interlock test results recorded by an ignition interlock device and shall mean the same as “data recording” as contained in

125.00. Definitions. (Continued)

the federal model specifications for breath alcohol ignition interlock devices published by notice in the Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, pages 11774-11787.

(i) "Hardcopy" shall mean a legible, printed copy.

(j) "False Positive" is a test result in which the breath alcohol concentration is above the alcohol setpoint and the test results of two or more subsequent breath tests taken immediately within a 15 minute time period thereafter provide a breath alcohol concentration below the alcohol setpoint, as specified in Section 125.12(a)(2)(C).

(k) "Time to Reset the Device" is the actual time in minutes to service a device in order to make the device functional when a participant has returned a device for early recall.

(l) "Pause of Restriction" means that expiration of the required term of restriction specified in Vehicle Code section 23700(a)(7)(A) is temporarily stopped when the department is notified that the participant has failed to maintain the device pursuant to Vehicle Code section 23575.

(m) "Reset of Restriction" means the remainder of the original restriction term required pursuant to Vehicle Code section 23700(a)(7)(A) is re-imposed when the participant provides the department with the Department of Motor Vehicles Ordered Verification of Installation, form DL 924 (REV 7/2010).

NOTE: Authority cited: Sections 1651, 23575 and 23700, Vehicle Code. Reference: Section 23575, Vehicle Code.

HISTORY

1. Renumbering of former article 2.4 to new article 2.55 (sections 125.00-125.22) and new section filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).

2. New subsections (a), (b), (e)-(i) and subsection relettering filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).

3. Amendment of subsection (c), new subsections (j)-(m) and amendment of Note filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 125.02. Certification of Ignition Interlock Devices.

An ignition interlock device shall not be installed, or used as part of a program for driving under the influence offenders unless the model or type of device has been certified by the department in accordance with the requirements of this article.

(a) An individual, partnership, or corporation may apply to the department for certification of an ignition interlock device by submitting a completed application to the department. A separate application is required for each model or type of device. A completed application shall contain the following:

(1) Form DL 9, Application for Certification of Ignition Interlock Device (REV. 4/2000), which is hereby incorporated by reference.

- (2) A detailed description of the device, including a photograph, drawing, or other graphic depiction of the device.
- (3) Complete technical specifications describing the device's accuracy, reliability, security, data collection and recording, tamper detection, and environmental features.
- (4) A complete and true copy of data from an independent laboratory demonstrating that the device meets or exceeds the minimum federal standards pursuant to Vehicle Code section 13386(d). For purposes of this article, the term "independent laboratory" shall be interpreted to include any of the following, provided the laboratory is properly equipped and staffed to conduct laboratory tests on ignition interlock devices to ensure they meet the accuracy requirements and specifications provided in Sections 1 and 2 of the model specifications for breath alcohol ignition interlock devices as published as a Notice in the Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, on pages 11774-11787:
 - (A) A state-run laboratory;
 - (B) A private laboratory which can demonstrate its capability to carry out the required tests; or
 - (C) A laboratory certified by a state department of Public Health to conduct chemical tests.
- (5) A certification on Form DL 28, Laboratory Report (REV. 3/2000), signed by an authorized official of the laboratory which tested the device, that the device was tested by the laboratory indicated in accordance with the federal regulations and that the device was found to satisfy the requirements of Sections 1 and 2 of the model specifications for breath alcohol ignition interlock devices as published as a Notice in the Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, on pages 11774-11787. The certification shall specify that the laboratory used properly maintained equipment, and trained personnel to conduct the tests, and that the test results are accurate. Form the DL 28, Laboratory Report (REV 3/2000) is hereby incorporated by reference.
- (6) A complete listing of all authorized installers' locations and their satellite locations that includes the name, Bureau of Automotive Repair number, telephone number, contact name, and hours of operation.
- (7) A copy of the instructions that will be provided to authorized installers, including complete instructions for installation, operation, service, repair, and removal of the device.
- (8) A copy of the written instructions that will be provided to participants who have the device installed.
- (9) A certificate from an insurance company that the manufacturer holds product liability insurance and that the department is named as an additional insured. The policy limit shall be a minimum of one million dollars (\$1,000,000). The liability insurance shall include coverage for manufacturing, defects in product design and materials, calibration, installation, and removal of devices. The certificate

§ 125.02. Certification of Ignition Interlock Devices. (Continued)

of insurance shall contain a statement that the insurance company will notify the department 30 days before cancellation of the insurance.

(10) A signed statement that the manufacturer shall indemnify and hold harmless the state of California, the department and its officers, employees and agents from all claims, demands, and actions, as a result of damage or injury to persons or property which may arise, directly or indirectly, out of any act or omission by the manufacturer relating to the installation, service, repair, use and removal of an ignition interlock device.

(11) A copy of the fee schedule or schedules adopted by a manufacturer and manufacturer's authorized installer pursuant to subdivision (i) of Section 13386 of the Vehicle Code. The fee schedule shall include provisions for the payment of the costs of the device by an applicant in amounts commensurate with the applicant's ability to pay. The fee schedule shall include the cost of all services provided, including standard charges for installation, service and maintenance, and removal of the devices, and any non-standard charges for service and maintenance of the devices.

(12) An imprint of the manufacturer's stamp. A manufacturer shall ensure that each authorized installer has the stamp of the manufacturer of the device, meaning a stamping tool, not an imprint.

(13) A manufacturer shall provide the department with a toll-free telephone number through which participants may be referred to the authorized installers.

(14) An application fee of \$100.00.

(b) The department may have the laboratory test results reviewed, at the manufacturer's expense, by an agency or individual outside the department, and of the department's choice, when such review is deemed necessary to determine whether or not a device meets the requirements for certification.

(c) The department may require that manufacturers install devices on vehicles approved by the department to field test the devices.

(d) The department shall certify, or refuse to certify, a device within 90 days of receipt of a complete application. The department shall notify the manufacturer within 10 days of receipt of the application if the application is incomplete and shall specify what information or documents are needed to complete the application.

(e) An applicant who has not received notification within the time periods specified may file an appeal with the Secretary of the Business, Transportation and Housing Agency in accordance with Chapter 6 of Division 3 of Title 21 of the California Code of Regulations. If the Secretary finds that the department failed to provide the notification required within the time period specified without good cause, the department shall reimburse the applicant fully for all application fees paid.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 1652 and 13386, Vehicle Code; and Sections 15374-15378, Government Code.

HISTORY

1. Renumbering of former section 100.91 to section 125.02, including amendment of section and Note, filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment of subsections (a)(6), (a)(11) and (a)(12), new subsection (a)(13) and subsection renumbering filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).
3. Amendment of subsections (a)(4) and (a)(11) filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).
4. Amendment of subsection (a)(1), repealer of subsections (a)(1)(A)-(F) and amendment of subsections (a)(4)-(5) and (a)(11) filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 125.04. Modification of Certified Device.

A manufacturer shall notify the department in writing of any material modification or alteration in the components, design or installation and operating instructions of any device certified for use in this state. The manufacturer shall provide the department satisfactory proof (to include retesting by an independent laboratory, if required by the department), prior to the sale or distribution of a modified or altered device, that these modifications or alterations do not adversely affect the ability of the device to satisfy the requirements of the minimum federal standards pursuant to Vehicle Code Section 13386(e).

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 13386, Vehicle Code.

HISTORY

1. Renumbering of former section 100.93 to section 125.04, including amendment of section and Note, filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).

§ 125.06. Compliance with Changes in Certification Requirements.

(a) A manufacturer of an ignition interlock device certified by the department shall comply with any regulatory changes within 60 days from adoption for the device to remain certified.

(b) If there are any changes to the list of authorized installers, a manufacturer shall submit an updated list to the department within 10 days of the change.

(c) If there are any changes to an adopted fee schedule, a manufacturer shall submit the updated fee schedule to the department within 30 days of the changes.

(d) If there are any changes to the manufacturer's stamp, a manufacturer shall provide an imprint of the new stamp to the department 30 days prior to its use.

**§ 125.06. Compliance with Changes in Certification Requirements.
(Continued)**

(e) If there are any changes to the toll-free telephone number, a manufacturer shall provide the new toll-free telephone number to the department 90 days prior to its use.

(f) If there are any changes to any information provided on the Application for Certification of Ignition Interlock Device form (DL 9) (REV. 4/2000), a manufacturer shall submit an updated application within 30 days of the changes.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 13386, Vehicle Code.

HISTORY

1. New section filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).

§ 125.08. Refusal, Suspension or Revocation of Device Certification.

(a) The department may refuse to certify a device, or may suspend or revoke the certification of a device and remove it from the list of certified devices, for any of the following reasons:

- (1) Defects in design, materials, or workmanship of the device causing repeated failures of a device to function as intended.
- (2) Termination or cancellation of a manufacturer's liability insurance.
- (3) The manufacturer ceases to manufacture ignition interlock devices.
- (4) Voluntary request by a manufacturer to cancel certification of a device.
- (5) Violation of a provision of this article by a manufacturer or authorized installer.
- (6) The manufacturer or certifying laboratory provides materially false or inaccurate information relating to the performance of a device.
- (7) Modification or alteration of the components, design, or installation and operation instructions in such a way that the requirements of the minimum federal standards adopted in Vehicle Code Section 13386(e) are no longer satisfied.

(b) Suspension or revocation of certification shall be effective 30 days after written notification is sent to the manufacturer by certified mail. The notice of suspension or revocation shall specify the basis for the action.

(c) Within ninety days of the suspension or revocation of certification, the manufacturer shall be responsible for and shall bear the cost of removal of any and all de-certified devices and the replacement with a certified device regardless of the manufacturer of the device being substituted.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 13386, Vehicle Code.

HISTORY

1. Renumbering of former section 100.92 to section 125.08, including amendment of section and Note, filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment of subsection (a)(7) filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).

§ 125.10. Referral to an Authorized Installer.

(a) A manufacturer shall only refer a driver participating in the ignition interlock program (a participant) to an authorized installer who meets the requirements in Sections 3363.1 through 3363.4 of Title 16 of the California Code of Regulations. The manufacturer shall also ensure that an authorized installer complies with the installation procedures established in Title 16 of the California Code of Regulations.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 13386(f), Vehicle Code.

HISTORY

1. Renumbering of former section 100.94 to section 125.10, including amendment of section and Note, filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment of subsection (a) and repealer of subsections (b)-(c) filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).

§ 125.12. Service and Maintenance of Ignition Interlock Devices.

(a) A manufacturer shall ensure that an authorized installer has the training and skills necessary to install, troubleshoot, check for proper operation of the device, screen the vehicle for acceptable condition, and complies with the following:

(1) Provides all participants with the following:

(A) A verification of installation report upon installation of an ignition interlock device. The installer shall submit verification forms under the following circumstances:

(i) When a participant is requesting a restricted driver license pursuant to Vehicle Code section 13352(a)(3) through (a)(7) or 13353.3(b)(2)(C), the installer shall complete an original Verification of Installation, form DL 920 (REV 5/2012), which is hereby incorporated by reference, in accordance with Section 125.16 of this article.

(ii) When a court has ordered the installation of an ignition interlock device, the installer shall complete and submit a court-authorized verification of installation form to the court. The installer shall provide verification of installation to the department and must submit an original Verification of Installation, form DL 920 (REV 5/2012) or a copy of the court-authorized verification of installation form.

**§ 125.12. Service and Maintenance of Ignition Interlock Devices.
(Continued)**

(iii) When the Department of Motor Vehicles has ordered the installation of an ignition interlock device, the installer shall complete and submit to the department a Department of Motor Vehicles Ordered Verification of Ignition Interlock, form DL 924 (REV 5/2012) which is hereby incorporated by reference.

(B) Written instructions on cleaning and caring for the device.

(C) Written instructions on types of vehicle malfunctions or repairs that may affect the device, and what to do when such repairs are necessary.

(D) Written and hands-on training for the participant and all persons who operate the vehicle on use of the device after it is installed in the vehicle.

(E) A 24-hour emergency phone number that may be used to request assistance in the event of failure of the device or vehicle problems related to operation of the device. The assistance provided by the authorized installer shall include technical information, tow service, or road service. The device shall be made functional within 48 hours of the call for assistance, or the device shall be replaced.

(2) Follows the manufacturer's specifications for service and repair of an ignition interlock device.

(A) Services the device in intervals not to exceed 60 days.

(B) Service shall include, but not be limited to, physical inspection of the device and vehicle for tampering, calibration of the device, and monitoring of the data contained within the device's memory.

(C) Each time a device is serviced, downloads all the data recorded in the device's memory. The electronic log shall specify the corresponding device or participant file identification number (that when accessed will clearly specify the corresponding device), the date the download occurred and can be either a hardcopy or an electronic copy. If an electronic copy is used it shall be electronically maintained and a hardcopy shall be provided upon request. The downloaded data shall also contain a summary report that includes each incident the breath alcohol level was at or above the alcohol setpoint, any attempts to bypass or tamper with the device and shall specify the corresponding device or participant file identification number, and date the download occurred.

(D) Each time a device is serviced, a hardcopy of the summary report shall be included in the participant's file.

(E) Each time a device is serviced, a hardcopy of the calibration results shall be included in the participant's file.

(F) If an installed device is replaced with another device, the event shall be documented. The documentation shall specify each device and the documentation shall be included in the participant's file.

(G) If a participant fails to return the vehicle for recalibration within 60 days, and does not contact the installer to reschedule the appointment for service, the installer shall schedule another appointment within seven days of the missed appointment. The installer shall notify the participant of the new appointment by mail and by telephone, if possible. If the participant fails to keep the second appointment, and does not contact the installer to reschedule the appointment, the installer shall schedule a third appointment within seven days of the missed appointment. The installer shall notify the participant of the new appointment by mail and by telephone, if possible. If the participant fails to keep the third appointment, the installer shall report the participant's non-compliance to the department on the Notice of Non-Compliance, form DL 921 (NEW 11/99), pursuant to Section 125.18 of this article.

(H) If the participant is unable to return the vehicle for recalibration within 60 days due to military service, a family death, or similar event beyond the control of the participant, and the participant can document the event to the satisfaction of the installer prior to non-compliance being reported to the department by the installer, the installer may extend the time for recalibration as appropriate. A copy of the documentation shall be included in the participant's file. If the participant fails to return the vehicle for recalibration as scheduled, the installer shall follow the procedure in subdivision (G) to determine non-compliance.

(3) Conducts physical tamper inspections every time the device is serviced, or given routine inspection, maintenance, or repair, or is replaced.

(A) A tamper inspection shall include checking the device for proper operation of tamper detection capabilities. If tampering is detected, the inspection shall also include installation wiring connection and tamper seals.

(B) Documenting evidence of tampering shall include photographing the damage, an electronic log hardcopy, or completing a comprehensive incident report or other written documentation. If originals of such evidence are sent to a court or the department, copies shall be included in the participant's file.

(C) The installer shall report any evidence of attempts to bypass or circumvent the device or of physical tampering to the appropriate court or the department within three working days. When reporting such evidence to the department, the installer shall complete the Notice of Non-Compliance, form DL 921 (NEW 11/99) pursuant to Section 125.18 of this article.

(D) After the evidence of tampering has been recorded or photographed, and reported to the appropriate court or the department, the installer shall restore the system and its tamper seals, or equivalents, and all other components to their original condition to prevent further abuse.

(E) If a participant fails to maintain the device pursuant to Section 23573 or 23575 of the Vehicle Code, the installer shall report non-compliance to the appropriate court or the department as required by statute, within three working days.

§ 125.12. Service and Maintenance of Ignition Interlock Devices.***Continued***

(F) When reporting non-compliance to the court personnel or the Department of Motor Vehicles, the installer shall follow procedures and forms provided by the appropriate court and the Department of Motor Vehicles and a copy shall be included in the participant's file.

(b) Whenever a device is removed, a manufacturer shall ensure that the vehicle is restored to its original condition by the authorized installer. When reporting the removal to the court personnel, the installer shall follow procedures and forms provided by the appropriate court and a copy shall be included in the participant's file or an "Ignition Interlock Notice of Removal," form DL 922 (REV 4/2011), which is hereby incorporated by reference, pursuant to Section 125.20 of this article, shall be sent to the department, within three working days after removal of a device.

(c) A manufacturer shall be responsible for providing continuing service by an authorized installer during the period the device is installed, without interruption, when an authorized installer is replaced with another affiliated authorized installer or replaced with another authorized installer affiliated with another manufacturer.

(1) The manufacturer shall obtain all participant files from an authorized installer being replaced, and shall provide the participant files to the new installer.

(2) The manufacturer shall ensure that each participant with an existing, installed device is able to obtain the required service within a similar distance or less from the participant's residence or place of business. If there are installed devices for which authorized service is no longer accessible, such devices shall be replaced by the manufacturer, at no cost to the participant, with a device from another manufacturer's authorized installer located at a similar distance or less from the participant's residence or place of business.

(3) The manufacturer shall make every effort to notify all participants of a change of the authorized installer or replacement of the device 30 days before the change or replacement will occur. When the manufacturer is unable to notify participants 30 days prior to the change or replacement, the manufacturer shall notify all participants of the change as soon as possible.

(4) The removal of the device shall be recorded on an Ignition Interlock Notice of Removal form DL 922 (REV 4/2011) pursuant to Section 125.20. Section II of the Ignition Interlock Notice of Removal form DL 922 (REV 4/2011) is not applicable for this type of removal. The installation of the new manufacturer's device shall be recorded on a Verification of Installation form DL 920 (REV 5/2012) pursuant to Section 125.16. To substantiate that no break in service has occurred, the department copies of the Verification of Installation form DL 920 (REV 5/2012) and Ignition Interlock Notice of Removal form DL 922 (REV 4/2011) shall be submitted to the department together.

(d) A manufacturer shall be responsible for providing continuing service by an authorized installer during the period the device is installed, without interruption, when the participant elects to transfer to an affiliated authorized installer or to another authorized installer affiliated with another manufacturer.

(1) The participant's file shall be transferred pursuant to the procedures described in Section 125.12(c)(1).

(2) The device removal and installation shall be recorded and reported pursuant to the procedures described in Section 125.12(c)(4).

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 13353.3, 13386, 23573 and 23575(g), Vehicle Code.

HISTORY

1. New section filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).
3. Amendment of subsection (a)(1)(A), new subsections (a)(1)(A)(i)-(ii), and amendment of subsections (b) and (c)(4) filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).
4. Amendment of subsections (a)(1)(A)(i)-(iii), (a)(3)(E)-(F), (c)(4) and (d)(1)-(2) and amendment of Note filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).
5. Amendment of subsections (a)(1)(A)(i)-(iii), (b) and (c)(4) and amendment of Note filed 3-7-2013; operative 7-1-2013 (Register 2013, No. 10).

§ 125.14. Installation Locations and Participant Files.

(a) Authorized installer installation locations may include mobile units or satellite locations for the installation, calibration, servicing, monitoring and removal of the devices.

(b) A manufacturer shall ensure that each authorized installer creates and maintains a participant file for each participant.

(c) A copy of all completed ignition interlock device program forms used by the court shall be included in the participant file.

(d) The department may obtain copies of participants' files directly from an authorized installer.

(e) The department may inspect the authorized installer's participant files or the installation locations during regular business hours.

(f) A manufacturer shall ensure that each authorized installer, after a device is removed, retains the participant's file for a minimum of five (5) years.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 13386, Vehicle Code.

§ 125.14. Installation Locations and Participant Files. *Continued*

HISTORY

1. Renumbering of former section 100.95 to section 125.14, including amendment of section and Note, filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Repealer and new section heading and amendment of section filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).

§ 125.16. Verification of Installation.

(a) Unless the participant is ordered by the court to install an Ignition Interlock Device, upon application for a restricted driver license pursuant to Vehicle Code section 13352(a)(3) through (a)(9), the participant shall submit the \$15 fee specified in Section 124.95 of Title 13 of the California Code of Regulations and a Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012), which is hereby incorporated by reference. This fee and form is in addition to all other application requirements.

(b) (1) Pursuant to Vehicle Code section 13352 (a)(3) and (a)(5) a participant shall submit a Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012) and a \$45 administrative service fee.

(2) Pursuant to Vehicle Code section 13353.3(b)(2)(C), a participant shall submit a Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012) and a \$40 administrative service fee.

(c) If an ignition interlock device is ordered by the court, the participant shall submit an original Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012) or the court ordered verification of installation form to the department.

(d) The Verification of Installation Ignition Interlock, Form DL 920 (REV 5/2012), may contain the date of the next monitor check.

(e) A manufacturer shall account for each Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012), issued to the manufacturer. If any unused forms become lost, stolen, or misplaced the manufacturer shall immediately notify local law enforcement and provide written notification to the department.

(f) Completed copies of the Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012), shall be distributed as follows:

(1) The original completed Verification of Installation Ignition Interlock, form DL 920 (REV 5/2012), shall be submitted to the department at a local field office, or mailed to the Department of Motor Vehicles, Mandatory Actions Unit, Mail Station J233, P.O. Box 942890, Sacramento, California, 94290-0001.

(2) One copy each shall be provided to the driver, the authorized installer of the device to include in the participant's file, and the manufacturer of the device or the manufacturer's agent, if applicable.

NOTE: Authority cited: Sections 1651, 13352 and 13386, Vehicle Code. Reference: Sections 1652, 13352, 13353.3 and 13386, Vehicle Code.

HISTORY

1. New section filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment of subsections (a) and (a)(7), new subsection (c), subsection relettering, and amendment of newly designated subsections (d)-(d)(2) filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).
3. Amendment of subsection (a), new subsection (b), subsection relettering and amendment of newly designated subsections (c)-(e)(1) filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).
4. Amendment filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).
5. Amendment of section and Note filed 3-7-2013; operative 7-1-2013 (Register 2013, No. 10).

§ 125.18. Notice of Non-Compliance.

(a) An installer shall submit to the department within three working days a Notice of Non-Compliance, form DL 921 (NEW 11/99), which is hereby incorporated by reference, if an ignition interlock device indicates that the participant has attempted to remove, bypass, or tamper with the device, or if the participant fails three or more times to comply with any requirement for the maintenance or calibration of the ignition interlock device, pursuant to Vehicle Code section 23573(e)(2), 23575(g), or 23700(a)(5)(B).

(b) Completed copies of the Notice of Non-Compliance form, DL 921 (NEW 11/99), shall be distributed as follows:

(1) The installer shall submit the original completed Notice of Non-Compliance form, DL 921 (NEW 11/99), to the department. The installer may mail the form to the Department of Motor Vehicles Mandatory Actions Unit, Mail Station J233, P. O. Box 942890, Sacramento, California, 94290-0001, or fax the completed form to the department at (916) 657-6001.

(2) One copy each shall be provided to the driver, the authorized installer to include in the participant's file, and the manufacturer of the device or the manufacturer's agent, if applicable.

NOTE: Authority cited: Sections 1651, 23573 and 23575, Vehicle Code. Reference: Sections 1652, 13386 and 23575, Vehicle Code.

HISTORY

1. New section filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment of subsections (a), (a)(6) and (b)-(b)(2) filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).
3. Amendment of subsection (a), repealer of subsections (a)(1)-(13) and amendment of Note filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 125.20. Notice of Removal.

(a) An installer shall submit to the department within three working days an Ignition Interlock Notice of Removal, form DL 922 (REV 1/2007), which is hereby incorporated by reference, when the installer removes an ignition interlock device, pursuant to Section 125.12(b) of this article.

(b) When an installer removes a device from a participant's vehicle and reinstalls the device into another vehicle operated by the same participant, the removal and reinstallation is to be recorded by completing Section II "Removal/Installation Information."

(1) The first segment of Section II identifies the vehicle make, year, license plate number and vehicle identification number of the vehicle from which the device is being removed.

(2) The second segment of Section II identifies the vehicle make, year, license plate number, and vehicle identification number of the vehicle in which the device is being reinstalled and also includes the date of installation, and the date of the next monitor check.

(c) A manufacturer shall account for each Notice of Removal, form DL 922 (REV 1/2007), issued to the manufacturer. If any unused forms become lost, stolen, or misplaced the manufacturer shall immediately notify local law enforcement and provide written notification to the department.

(d) Completed copies of the Notice of Removal form, DL 922 (REV 1/2007), shall be distributed as follows:

(1) The installer shall submit the original completed Notice of Removal, form DL 922 (REV 1/2007), to the department. The installer may mail the completed form to the Department of Motor Vehicles Mandatory Actions Unit, Mail Station J233, P. O. Box 942890, Sacramento, California, 94290-0001, or fax the completed form to the department at (916) 657-6001.

(2) One copy each shall be provided to the driver, the authorized installer of the device to include in the participant's file, and the manufacturer of the device or the manufacturer's agent, if applicable.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 1652, 13386 and 23575(g), Vehicle Code.

HISTORY

1. New section filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).
3. Amendment of subsections (a) and (b)-(c)(1) filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).
4. Amendment filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 125.22. Notice to Employers Regarding an Ignition Interlock Restriction.

(a) The department shall provide to any requesting participant a Notice to Employers, Ignition Interlock Restriction, form DL 923 (NEW 11/99).

(b) The participant shall provide a Notice to Employers, Ignition Interlock Restriction, form DL 923 (NEW 11/99), which is hereby incorporated by reference, to any employer who owns a vehicle that the participant must operate during the course of employment, and keep a copy of the Notice to Employers Ignition Interlock Restriction in his or her possession or with the vehicle operated. The Notice to Employers, Ignition Interlock Restriction, form DL 923 (NEW 11/99), allows the participant to operate the employer's vehicle without an ignition interlock device.

NOTE: Authority cited: Sections 1651 and 23576, Vehicle Code. Reference: Sections 1652 and 23576, Vehicle Code.

HISTORY

1. New section filed 6-22-2001; operative 7-22-2001 (Register 2001, No. 25).
2. Amendment of subsections (a)-(b) filed 10-29-2003; operative 11-28-2003 (Register 2003, No. 44).
3. Amendment of subsection (b) and repealer of subsections (b)(1)-(4) filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 126.00. Verification of Installation for Department of Motor Vehicles Required Ignition Interlock Device.

(a) Upon the department's receipt of notification from the court of a conviction of Vehicle Code section 14601.2, 14601.4 or 14601.5, the department shall notice the participant of the requirement to install an ignition interlock device, certified pursuant to Section 125.02 of this article, within 30 days of the mail date of the notice, unless the participant meets all the exemptions provided in Vehicle Code section 23573(g).

(b) Upon notification of the requirement to install an ignition interlock device, the participant shall submit the following to the department:

- (1) A Department of Motor Vehicles Ordered Verification of Ignition Interlock, form DL 924 (REV 5/2012), which is hereby incorporated by reference.
- (2) A \$40 administrative service fee required pursuant to Vehicle Code section 23573(c)(3).

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 1652, 14601.2, 14601.4 or 14601.5 and 23573, Vehicle Code.

§ 126.00. Verification of Installation for Department of Motor Vehicles Required Ignition Interlock Device. (Continued)

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).
2. Amendment filed 3-7-2013; operative 7-1-2013 (Register 2013, No. 10).

§ 126.02. Distribution of Verification of Installation, Form DL 924.

(a) Completed copies of the Department of Motor Vehicles Ordered Verification of Installation, form DL 924 (REV 5/2012), shall be distributed as follows:

(1) The original completed form DL 924 (REV 5/2012) shall be submitted to the department at a local public field office or mailed to the Department of Motor Vehicles, Mandatory Actions Unit, Mail Station J233, P.O. Box 942890, Sacramento, California, 94290-0001.

(2) One copy each shall be provided to the driver, the authorized installer of the device to include in the participant’s file, and the manufacturer of the device or the manufacturer’s agent, if applicable.

(b) A manufacturer shall account for each Department of Motor Vehicles Ordered Verification of Installation, form DL 924 (REV 5/2012), issued to it by the department. If any unused forms become lost, stolen or misplaced, the manufacturer shall immediately notify local law enforcement and provide written notification to the department.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 23573, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).
2. Amendment filed 3-7-2013; operative 7-1-2013 (Register 2013, No. 10).

§ 126.04. Exemption from Department of Motor Vehicles Required Ignition Interlock Device.

If the participant meets all the requirements for an exemption from the ignition interlock device requirement provided in Vehicle Code section 23573(g)(1)(A), he or she shall submit an Exemption for Ignition Interlock Device, form DL 4054B (REV. 1/2010), which is hereby incorporated by reference, to the department within 30 days from the mail date of the notification of the requirement to install ignition interlock device. The original completed form DL 4054B (REV. 1/2010), shall be submitted to the department at a local public field office, or mailed to the Department of Motor Vehicles, Mandatory Actions Unit, Mail Station J233, P.O. Box 942890, Sacramento, California, 94290-0001.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 13352 and 13386, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 127.00. Ignition Interlock Device Restriction.

The requirement of a person to participate in this pilot program is based upon the location of the county where the person was convicted.

(a) Pursuant to Vehicle Code section 23700, a person convicted of Vehicle Code section 23152 or 23153, in the county of Alameda, Los Angeles, Sacramento or Tulare, shall be required to install an ignition interlock device for the term required by Vehicle Code section 23700(a)(7).

(b) Upon receipt of notification from a court located in the county of Alameda, Los Angeles, Sacramento or Tulare of a conviction of Vehicle Code section 23152 or 23153, the department shall require the participant to install an ignition interlock device, certified pursuant to Section 125.02 of this article, prior to reinstatement of the driving privilege, unless the participant meets all the exemptions provided in Vehicle Code section 23700(a)(8).

(c) Upon reinstatement of the driving privilege, the participant's driver license will be restricted to operating vehicles with an ignition interlock device for the term required in Vehicle Code section 23700(a)(7)(A) or (B).

(d) Prior to reinstatement of the driver license, the participant shall submit a Department of Motor Vehicles Ordered Verification of Installation, form DL 924 (REV. 5/2012).

(e) A \$45 administrative service fee is required pursuant to Vehicle Code section 23700(a)(3)(C).

NOTE: Authority cited: Sections 1651 and 23700, Vehicle Code. Reference: Sections 23152, 23153 and 23700, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

2. Amendment of subsections (d) and (e) filed 3-7-2013; operative 7-1-2013 (Register 2013, No. 10).

§ 127.02. Administrative Fees.

(a) Pursuant to Vehicle Code section 23700(a)(3)(C), a forty-five (\$45) administrative fee is required for participation in this pilot program for a conviction of Vehicle Code section 23152 or 23153.

(b) Pursuant to Vehicle Code section 13352(a)(3)(F) and (5)(F), a forty-five (\$45) administrative fee is required for a participant convicted of Vehicle Code section 23152 or 23153 who agrees to maintain an interlock ignition device pursuant to Vehicle Code section 13352(a)(3) or (5).

NOTE: Authority cited: Sections 1651, 13352 and 23700, Vehicle Code. Reference: Sections 13352 and 23700, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 127.04. Exemption from Ignition Interlock Device Requirements.

(a) If the participant meets all the requirements for an exemption from the ignition interlock device requirement as provided in Vehicle Code section 23700, he or she shall submit an Exemption for Ignition Interlock Device (IID), form DL 4055B (NEW 7/2010), which is hereby incorporated by reference, to the department no later than 30 days from mail date of the notification of the requirement to install the IID. The original completed form DL 4055B (NEW 7/2010), shall be submitted to the department at a local public field office, or mailed to the Department of Motor Vehicles, Mandatory Actions Unit, Mail Station J233, P.O. Box 942890, Sacramento, California, 94290-0001.

NOTE: Authority cited: Sections 1651 and 23700, Vehicle Code. Reference: Section 23700, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 127.06. Annual Report.

(a) Pursuant to Vehicle Code section 13386(g), effective July 1, 2010, a manufacturer or manufacturer’s agent shall begin retaining data related to the number of false positives and time to reset the device, as defined in section 125.00.

(b) The first report shall be submitted to the department no later than July 30, 2011 and annually thereafter, no later than July 30th, each year through July 30, 2015. The final report for July 1, 2015 through December 31, 2015 shall be submitted to department no later than January 30, 2016. The reports shall be submitted on an original Report of False Positives/Reset Time, form DL 9A (NEW 7/2010), which is hereby incorporated by reference.

NOTE: Authority cited: Sections 1651 and 13386, Vehicle Code. Reference: Section 13386, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

§ 127.08. Reset of Ignition Interlock Restriction Term.

Pursuant to Vehicle Code section 23700(a)(10), a person who fails to comply with the required term of the ignition interlock device requirement shall have the duration of the required restriction term paused until the participant provides the department with a Department of Motor Vehicles Ordered Verification of Installation, form DL 924 (REV. 5/2012). The restriction shall then be re-imposed for the remainder of the original term of the restriction.

NOTE: Authority cited: Sections 1651 and 23700, Vehicle Code. Reference: Section 23700, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

2. Amendment filed 3-7-2013; operative 7-1-2013 (Register 2013, No. 10).

§ 127.10. Term of Restriction.

A person is required to install an ignition interlock device for the term specified in Vehicle Code section 23700(a)(7)(A) or (B) upon eligibility for issuance of a driver license. The restriction does not lapse until the participant has provided proof of installation of the device as required by Section 126.00 of this article.

Expiration of the restriction shall be paused if the participant fails to maintain or to install the device pursuant to Vehicle Code section 23575.

NOTE: Authority cited: Sections 1651 and 23700, Vehicle Code. Reference: Sections 23575 and 23700, Vehicle Code.

HISTORY

1. New section filed 7-23-2010; operative 7-23-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 30).

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