

*Planning for
Implementation
January 1, 2009*

ILLINOIS IGNITION INTERLOCK LAW



Illinois Department
of Transportation
Division of Traffic Safety

BAIID's Origin in Illinois

- Pilot BAIID Program created by the Illinois General Assembly in 1994
- Approximately 3000 users annually.



Current Illinois BAID Law

- Repeat offenders who are seeking driving relief are required to have BAID.
- Can only drive under the confines of their restricted driving permit.

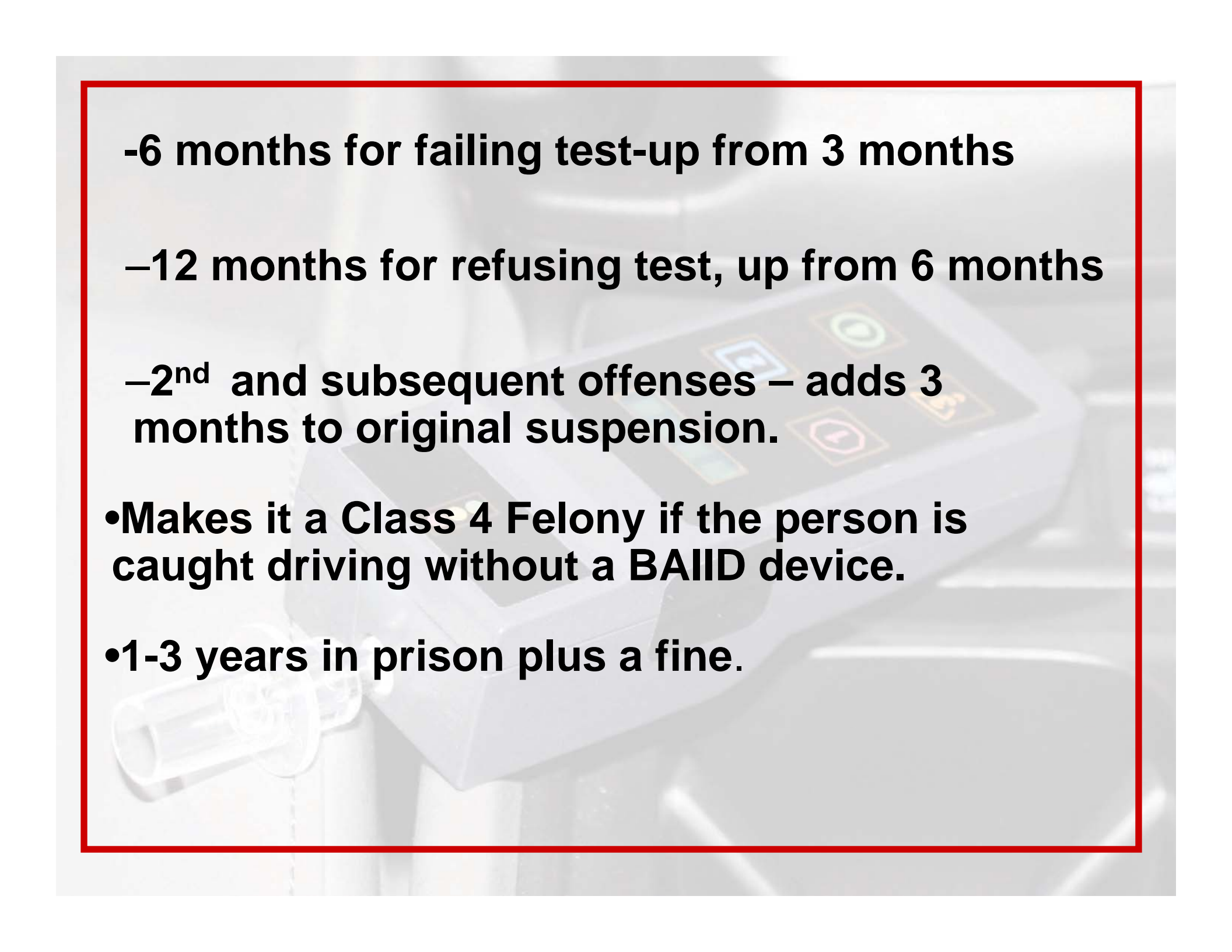


The New Law –

- Passed on August 24, 2007--Effective January 1, 2009.
- Mandates BAIID for all first-time offenders who want to drive during their summary suspension.
- IL is the largest state to implement this law.
- MADD's #1 Legislative Initiative across the country
- Estimated 30,000 1st time offenders.

Highlights of the new law

- **Creates Monitoring Device Driving Permit (MDDP) - Replaces Judicial Driving Permits**
 - **Allows the person the freedom to drive any time/any place providing there is a BAIID installed on the vehicle.**
 - **Offender may opt out saying they'll not drive while suspended**
- **Increases Suspension (Administrative) Time of 1st offenders. Doubles the suspension time.**

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- The background of the slide is a faded image of a BAIID (Breathalyzer) device. The device is white and grey, with a circular lens at the top and a control panel with several buttons and a small display screen. The device is mounted on a stand. The text is overlaid on this background.
- 6 months for failing test-up from 3 months**
 - 12 months for refusing test, up from 6 months**
 - 2nd and subsequent offenses – adds 3 months to original suspension.**
 - Makes it a Class 4 Felony if the person is caught driving without a BAIID device.**
 - 1-3 years in prison plus a fine.**

Enforcing the Law

Timeline

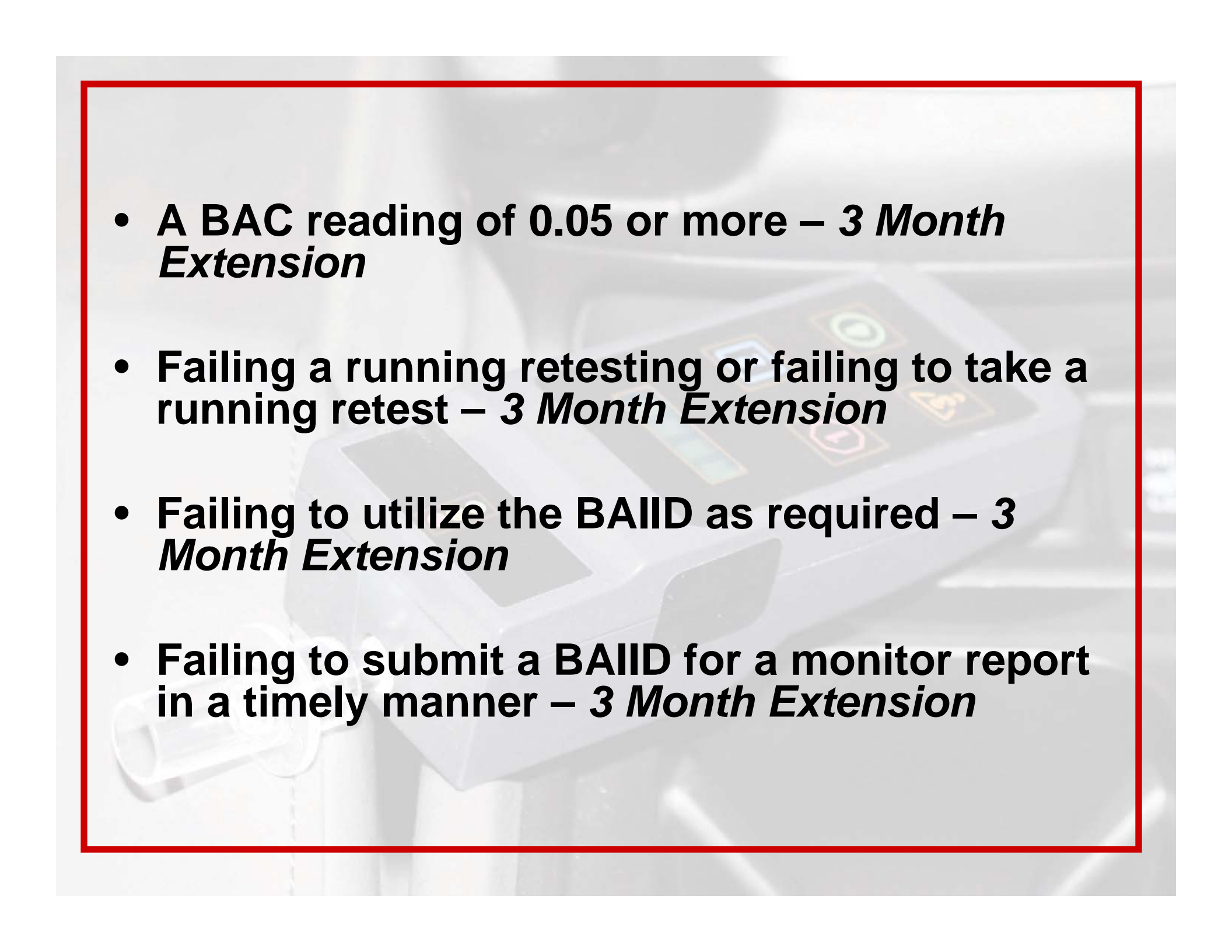
- **Person gets arrested for DUI**
- **Have a 30 day hard suspension (can't drive at all during this time)**
- **In court – Judge will offer the option of an MDDP.**
- **If no, offender will sign form stating he or she is opting out.**

First Time Offenders Who doesn't qualify?

- **Drivers license is otherwise invalid**
- **Incident involved death or great bodily harm**
- **Previously convicted of reckless homicide or aggravated DUI that resulted in a death**
- **Not a first offender as defined by the Illinois Vehicle Code**
- **CDL holders not eligible for their CDL license**

Violations – Extension of Statutory Summary Suspension

- Tampering or attempting to tamper with or unauthorized circumvention of the BAID – **3 Month Extension**
- 10 or more unsuccessful attempts to start the vehicle with a BAID installed, within a 30 day period– **3 Month Extension**
- 5 or more unsuccessful attempts to start the vehicle with a BAID installed, within a 24-hour period– **3 Month Extension**

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- **A BAC reading of 0.05 or more – 3 *Month Extension***
 - **Failing a running retesting or failing to take a running retest – 3 *Month Extension***
 - **Failing to utilize the BAID as required – 3 *Month Extension***
 - **Failing to submit a BAID for a monitor report in a timely manner – 3 *Month Extension***

- **After the 3rd Extension of the Statutory Summary Suspension**
 - **Vehicle subject to impoundment for a minimum of 30 days (still subject to extensions if not impounded)**
- **After the 4th Extension**
 - **Vehicle subject to forfeiture and seizure (still subject to extensions if not seized)**

Indigent Fund

- **Establishes an indigent fund for those who want an MDDP but cannot afford the device.**
- **Indigent fund will pay for the installation and monthly rental of the machine.**

Additional Implementation Steps

- **Secretary of State's Office is responsible for administering the law, interacting with offenders regarding drivers license sanctions, etc.**
- **Team effort to assist with getting the word out requires a total team effort among many agencies**

Additional Implementation Steps

- **Promulgate Administrative Rules – Illinois Secretary of State**
- **Marketing and PR Effort**
- **Training and Education of judiciary, law enforcement, prosecution, etc.**

Marketing the BAIID Program

- Highlighted at Fall 2007 Impaired Driving Summit
- June 23rd Impaired Driving Town Hall meeting
- July 4th *You Drink & Drive. You Lose.* crackdown featured wet lab/BAIID Demo
- October BAIID Symposium
- Christmas/New Years *You Drink & Drive. You Lose.* crackdown featuring wet lab/BAIID Demo in Chicago

Marketing the BAID Program

*July 4th You Drink & Drive. You Lose. kickoff
news event*

*Wet Lab-
Ignition
Interlock
Demo*

*June 23,
2008*

*Springfield,
Illinois*



Training and Education

***October 28, 29 and 30
Ignition Interlock Symposium
Lisle, Illinois***

Featuring nationally-recognized BAIID experts

Attendees include judges, prosecutors, circuit clerks, law enforcement and probation officers