

Effect of Ignition Interlock Sections in V 4.1 of H.876 Senate Transportation Strike-all

	SUSPENSION PERIOD	HARD SUSPENSION PRIOR TO ELIGIBILITY FOR INTERLOCK (IID)	PERIOD PRIOR TO ELIGIBILITY FOR REINSTATEMENT ONCE IID OBTAINED	IID MANDATORY OR PERMISSIVE?
DUI 1 - CRIMINAL SUSPENSION				
DUI - 1	90 days	30 days none	6 months 90 days	Permissive
DUI - 1 (refusal)	90 days	30 days	9 months 90 days	Permissive
DUI - 1 (death or SBI)	1 year	n/a 1 year ¹	n/a 1 year	n/a Permissive
DUI - 1 (refusal; SBI)	6 months	n/a	n/a	n/a
DUI 1 - CIVIL SUSPENSION				
1st violation	90 days	30 days none ²	6 months 90 days	Permissive
1st violation (refusal)	6 months	30 days ³	9 months 6 months	Permissive
DUI 2 - CIVIL OR CRIMINAL				
DUI - 2	18 months	90 days none	18 months	Permissive Mandatory
DUI - 2 (refusal)	18 months	90 days	2 years 18 months	Permissive Mandatory
DUI - 2 (death or SBI)	18 months	n/a 1 year	n/a 1 year	n/a Mandatory
DUI 3d OR SUBSEQUENT - CIVIL OR CRIMINAL				
DUI - 3d or subseq	Life	1 year none	3 years <i>Note: Reinstatement requires total abstinence for 3 years</i>	Permissive, except must use IID for 1 year after TA reinstatement if have not used IID for 3 years Mandatory

¹ As a practical matter, a 1st time offender whose offense involves death or SBI is unlikely to elect to obtain an IID for a first offense, because the offender may at that time be eligible for reinstatement of his or her regular operator’s license by the time the one year “hard” suspension has elapsed. But, the option is open to them if to get the IID if they haven’t satisfied the other requirements of reinstatement.

² If death or serious bodily injury results from the offense, the “hard” suspension period prior to eligibility for an IID is one year. Also see fn. 1.

³ See fn. 2.

	SUSPENSION PERIOD	HARD SUSPENSION PRIOR TO ELIGIBILITY FOR INTERLOCK (IID)	PERIOD PRIOR TO ELIGIBILITY FOR REINSTATEMENT ONCE IID OBTAINED	IID MANDATORY OR PERMISSIVE?
DUI - 3d or subseq (refusal)	Life	1 year	4 years 3 years <i>Note: Reinstatement requires total abstinence for 3 years</i>	Permissive, except must use IID for 1 year after TA reinstatement if have not used IID for 3 years Mandatory
DUI - 3d or subseq (death or SBI)	Life	n/a 1 year	n/a 3 years	Mandatory
CIVIL SUSPENSION - UNDER 21 (0.02)				
1st violation	6 months	30 days none	9 months 6 months	Permissive
1st violation (refusal)	6 months	30 days	1 year 6 months	Permissive
1st violation (death or SBI)	6 months	n/a 1 year	n/a 6 months	n/a Permissive
2d or subsequent	One year or until 21, whichever is longer	90 days none	18 months or until 21, whichever is longer One year or until 21, whichever is longer	Permissive
2d or subsequent (refusal)	One year or until 21, whichever is longer	90 days	2 years or until 21, whichever is longer One year or until 21, whichever is longer	Permissive
2d or subsequent (death or SBI)	One year or until 21, whichever is longer	n/a 1 year	n/a One year or until 21, whichever is longer	n/a Permissive