Occupational Licensing Industry News OLIN 2012-02

Early Reinstatement With IID Installation for Wet Reckless W/Priors

New Legislation

This memo obsoletes OLIN 2012-01 Early Reinstatement With IID Installation for Wet Reckless W/Priors. Effective January 1, 2012, new legislation amends *California Vehicle Code* (CVC) §13353.3 to allow individuals convicted of up to two "wet reckless" (CVC §23103, disposition code "R") violations to end their one-year Administrate Per Se (APS) driver license suspension after 90 days and apply for a restriction, if certain requirements are met. Requirements include installation of a certified ignition interlock device (IID) on vehicles they own or operate.

Notification

The Department of Motor Vehicles (DMV) will notify all eligible offenders convicted of a wet-reckless offense of the early reinstatement option and provide them with the contact information for all IID manufacturers currently authorized in California.

Requirements

Eligible drivers **must** provide DMV all of the following to reinstate their driving privilege and obtain an IID-restricted driver license:

- Verification of Installation Ignition Interlock (DL 920, REV. 11/2010) (sample attached).
- Proof of Financial Responsibility (SR 22).
- Proof of Enrollment Certificate (DL 107) **or** Notice of Completion Certificate (DL 101) of an approved nine-month alcohol treatment program (enrollment, participation, and completion of the program shall be subsequent to the current violation).
- \$40 administrative service fee (ASF), \$15 optional restriction fee, and all applicable reissue fees.

Upon receipt of all required documents and fees, DMV will reinstate the APS suspension action and update an IID restriction. The IID restriction will remain in effect until the original suspension period ends.

IID Non-compliance

The *California Code of Regulations* require installers to submit an Ignition Interlock Notice of Removal (DL 922) form to DMV within three working days of removing an IID from a vehicle and a Notice of Non-Compliance Ignition Interlock (DL 921) within three working days if the 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 maintenance or calibration requirements.

DMV will immediately terminate the restriction and suspend the driving privilege upon receipt of notification (DL 921 or DL 922) from the IID installer that a customer failed to comply or removed the IID early with any of the IID program requirements. The remainder of the original APS suspension period will be imposed.

Requirements, continued

DUI Program Non-compliance

DMV will immediately terminate the restriction and suspend the driver's driving privilege upon receipt of Notice of Non-Compliance (DL 101A) from the DUI program provider indicating the person has failed to comply with the program requirements. The remainder of the original APS suspension period will be imposed.

Driver Eligibility

To check a driver's eligibility for IID installation or removal, IID installers can use existing inquiry procedures by faxing a completed Ignition Interlock Device (IID) Installation & Removal Request (DL 925, REV. 3/2011) (sample attached) to the Mandatory Actions Unit (MAU) at (916) 657-9042 (this fax line is for IID installers only) or by calling the IID installer dedicated telephone number.

Future Revision of the DL 920 Form

The DL 920 will be revised in the future to reflect the new required \$40 ASF for wet-reckless offenders that take advantage of early reinstatement. Until then, installers should utilize the current DL 920 for these customers.

Background

Under current laws, driving under the influence (DUI) offenders (alcohol-only, no drugs) with a prior DUI-related conviction have the option to end their one-year APS suspension after 90 days by participating in the IID program. However, individuals convicted of a wet-reckless with one or two prior alcohol-related offenses do not have the same option, even though a wet-reckless is considered a less serious offense. The provisions of the new legislation are intended to correct this inequity.

Distribution

Notification that this memo is available online at **www.dmv.ca.gov/pubs/olin** was made via California DMV's Automated E-mail Alert Service in March 2012 to the following:

• Ignition Interlock Device Program Providers

Contact

IID installers may contact the Driver Licensing MAU at (916) 657-6525 for information regarding this program.

MARY GARCIA, Chief Occupational Licensing

Attachments (2)



VERIFICATION OF INSTALLATION IGNITION INTERLOCK

(See back for instructions) NOT VALID WITHOUT DRIVER LICENSE NUMBER MANUFACTURER'S STAMP SECTION I DRIVER INFORMATION DRIVER'S NAME (FIRST, MIDDLE, LAST) SUFFIX (JR., SR., III) MAILING ADDRESS (STREET) APARTMENT/SPACE NUMBER ZIP CODE RESIDENCE ADDRESS (IF DIFFERENT FROM MAILING ADDRESS) APARTMENT/SPACE NUMBER ZIP CODE STATE BIRTH DATE (MONTH, DAY, YEAR) WORK TELEPHONE NUMBER HOME TELEPHONE NUMBER MANUFACTURER/FACILITY INFORMATION The following facility installed this device manufactured by: SECTION II MANUFACTURER FACILITY NAME BUREAU OF AUTOMOTIVE REPAIR NUMBER FACILITY ADDRESS (STREET) 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 LICENSE PLATE NUMBER YEAR VEHICLE IDENTIFICATION NUMBER SECTION V 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 DATE X

DISTRIBUTE COPIES AS FOLLOWS:

Original: Mail this original document with the appropriate fee, if required (see "NOTE" on

back), to:

Department of Motor Vehicles Mandatory Actions Unit, M/S J233

P.O. Box 942890

Sacramento, CA 94290-0001,

or submit the original document with the fee to the nearest DMV office.

Photocopy: Driver Photocopy: Installer

Photocopy: Manufacturer or Manufacturer's Agent



IGNITION INTERLOCK DEVICE (IID) INSTALLATION & REMOVAL REQUEST

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:	REQUEST IS FOR:	
IID INSTALLER NAME	INSTALLER LICENSE NO.:		
STREET ADDRESS	CITY	STATE ZIP CODE	
CONTACT NAME			
PHONE NUMBER	FAX NUMBER		
() Ext	()	()	
FOR DMV USE ONLY — ELIG	GIBILITY FOR INSTALLATION OR REMO	OVAL	
For IID Installation	For IID Removal	For IID Removal	
ELIGIBLE ON NUMBER OF MONTHS, IID REQUIRE	ED ELIGIBLE ON		
Submit	☐ No, not eligible		
☐ No, not eligible ☐ Court ordered	_ 1,111 111 11.0 11.1		
	only entitled to the information above.		
SECTION 3 — DRIVER AUTHORIZATION			
I hereby authorize the Department of Motor Vehicle the IID eligibility requirements to:	es to provide the information listed belo	ow for a full assessment of	
NAME OF IID INSTALLER:	DRIVER'S SIGNATURE	DATE	
	X		
FOR DMV USE ONLY	Y — ADDITIONAL REQUIREMENTS		
If not eligible for IID installation, driver needs:	If not eligible for IID removal, driver needs:		
Suspension/Revocation not completed	Completion ofmonth program		
☐ Enrollment formonth program	☐ IID term not completed		
Completion of 12 months of 18-month program	Contact county court (see below)		
Completion of 12 months of 30-month program	Other:		
SR 22 proof of financial responsibility			
Fee \$			
☐ Other outstanding action: customer must contact DMV	at (016) 657 6505 for additional information		
☐ This request contains insufficient/incorrect information. P		omit.	
MAU Technician ID	Date Faxed to Installer		
	The state of the s	that is privileged confidential as	
This information is intended only for the use of the IID Installer to exempt from disclosure under applicable law. If the reader of this me the message to the intended recipient, you are hereby notified that	essage is not the intended recipient, or the employee	e or agent responsible for deliveri	

you received this in error, please notify us immediately at (916) 657-8739.