



IN BRIEF

Requires all persons convicted of Driving Under the Influence (DUI) to install and maintain an Ignition Interlock Device (IID) for the following amounts of time:

- 1st DUI offense: IID for six months
- 2nd DUI offense: IID for one year
- 3rd DUI offense: IID for two years
- 4th and subsequent DUI: IID for three years

THE ISSUE

Over the last 30 years, over 50,000 people have died in California because of drunk drivers and over 1 million have been injured. Each year in this state over 1,000 people die and more than 20,000 are injured.

Repeat DUI offenders account for about 1/3 of annual DUI convictions. California needs to do a better job of reducing repeat offenses and preventing first time offenses.

BACKGROUND

Under current law, installation of IIDs is optional for DUI offenders. Only about 20 percent of those who have a choice of installing an IID or driving on a restricted license opt for IID installation.

A four county pilot program is currently underway in Alameda, Los Angeles, Sacramento, and Tulare which requires IIDs for any convicted drunk driver who seeks limited driving privileges during a portion of his or her license suspension (AB 91 of 2009). This bill would expand the pilot statewide.

We're seeing higher IID participation rates in the four counties participating in the pilot program according to the Department of Motor Vehicles preliminary data:

- Alameda: 40.85 percent installation rate
- Los Angeles: 46.07 percent installation rate
- Sacramento: 44.39 percent installation rate
- Tulare: 32.18 percent installation rate

Currently, 24 states have similar laws requiring ignition interlocks for all convicted drunk drivers, including all first-time offenders. In these states with well implemented programs, a successful ignition interlock program has at least 30 percent of eligible

offenders installing an interlock. California is already well beyond the nationwide average.

IGNITION INTERLOCK DEVICES

An ignition interlock device is connected to a vehicle's ignition and requires a breath sample before the engine starts. The device prevents the car's engine from starting if the device detects a blood alcohol level that exceeds a pre-set limit.

Ignition interlocks for all offenders is a proven effective countermeasure to reduce DUI recidivism. According to the Centers for Disease Control and Prevention (CDC), requiring or highly incentivizing interlocks for all convicted drunk drivers reduces drunk driving recidivism by 67 percent.

"First-time" offenders are rarely first-time drunk drivers. Conservative estimates show that a first-time convicted DUI offender has driven drunk at least 80 times prior to being arrested.

OTHER STATES

Similar laws in 24 other states have proven tremendously successful. Since New Mexico's interlock law was implemented in 2005, drunk driving fatalities are down by 38 percent. Since Arizona and Louisiana implemented their interlock law in 2007, drunk driving deaths have decreased by 43 and 35 percent, respectively. In Oregon, as a result of 2008 interlock law, DUI deaths are down 42 percent.

In 2006, Mothers Against Drunk Driving (MADD) launched A Campaign to Eliminate Drunk Driving which calls for all states to pass interlocks for all convicted drunk drivers because 50 to 75 percent of convicted drunk drivers continue to drive without a license. Therefore, license suspension is not the most effective way to protect the public from convicted drunk drivers, or to rehabilitate the offender. This is evident in California as in 2009, according to the DMV, there were 43,598 convicted for operating a vehicle without a valid license due to their license being suspended as a result of a previous DUI. Ignition interlocks allow a convicted drunk driver to continue driving, but in a way that will protect Californians.

According to the National Highway Traffic Safety Administration's Traffic Safety Facts 2009: Alcohol-Impaired Driving, drivers with previous driving while impaired (DWI) convictions pose a substantial risk of offending again. **Data show that legally impaired drivers involved in fatal crashes were eight times more likely to have a prior DWI conviction than drivers who had not been drinking.**

New Mexico currently has the highest rate of interlock installations per capita in the nation. The National Highway Traffic Safety Administration funded a study from 1999-2002 comparing recidivism of multiple offenders with and without interlocks. The study compared multiple offenders who were ordered by the courts to install interlocks to multiple offenders who were similarly prohibited from driving but not required to install interlocks. **Multiple offender rearrest rates were 66% lower than the rearrest rates of those without interlock devices.** However, after the interlocks were removed, there was no appreciable difference between the group who had used the interlocks and those who did not use them. During the full study period, including both the time on interlock and after interlock, the rearrest rate for those who installed the interlock was 22% less than the rearrest rate for those without the interlock.

Another study of New Mexico's IID program found that recidivism rates were reduced by 75 percent for offenders in the program compared to non-participating offenders. The same study found that alcohol-involved crashes declined 31 percent between 2002 and 2007, according to statistics compiled by Richard Roth, executive director of Impact DWI.

THE SOLUTION

SB ___ is consistent with the National Transportation Safety Board's (NTSB) recent recommendation that all people convicted of drunk driving should have ignition interlock devices installed in their cars.

LIKELY SUPPORT

Mothers Against Drunk Driving
National Transportation Safety Board
California State Sheriff's Association
California Police Chiefs Association
Peace Officers Research Association of CA
San Bernardino County Sheriff
Crime Victims Action Alliance
Alliance of Automobile Manufacturers

FOR MORE INFORMATION

Nate Solov – 651-4013 – nate.solov@sen.ca.gov