

# IGNITION INTERLOCK

## “THE LAW”

### Frequently Asked Questions

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#### **What is the Ignition Interlock Law?**

Pennsylvania law makes the Ignition Interlock requirement mandatory for first-time and repeat DUI offenders with high blood alcohol levels and for individuals who receive an operating privilege suspension as a result of a chemical test refusal violation. An individual with an Ignition Interlock requirement who seeks a restoration of operating privileges, is required, as a condition of issuing a restricted license, to either have any motor vehicle to be operated equipped with an Ignition Interlock system and remain so for the duration of the restricted license period or, if there are no motor vehicles owned, registered, or to be operated, so certify in accordance with PennDOT's regulations.

#### **When is Ignition Interlock required?**

An Ignition Interlock requirement is imposed when an individual violates 75 Pa.C.S. Section 3802 (relating to driving under the influence of alcohol or controlled substance) and receives an operating privilege suspension, or has had their operating privilege suspended under 75 Pa.C.S. Section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance) or 75 Pa.C.S. Section 3808(c) (relating to illegally operating a motor vehicle not equipped with Ignition Interlock). An individual who receives an operating privilege suspension as a result of Accelerated Rehabilitative Disposition acceptance for a first offense violation of 75 Pa.C.S. Section 3802 (relating to driving under the influence of alcohol or controlled substance) will not have an Ignition Interlock requirement.

#### **What is considered a prior DUI offense?**

It depends on when the second or subsequent DUI offense occurred. For purposes of 75 Pa.C.S. Section 3805 (relating to ignition interlock), in order to be considered a prior offense, the prior offense must have occurred within 10 years prior to the date of the offense for which the individual is being sentenced, or on or after the date of the offense for which the individual is being sentenced. In addition, if an individual is sentenced for two or more offenses in the same day, the offenses shall be considered prior offenses.

#### **Does an acceptance of Accelerated Rehabilitative Disposition (ARD), a consent decree, or an adjudication of delinquency count as a prior offense?**

Yes.

### **About the Ignition Interlock System**

#### **What is an Ignition Interlock system?**

An Ignition Interlock system is a device that is installed in a motor vehicle to prohibit an individual under the influence of alcohol from operating the vehicle. An individual is required to blow into the device before starting the vehicle. If the device detects alcohol, it will prevent the vehicle from starting. In addition, at periodic times during the operation of the vehicle, the individual will be prompted to blow into the device to ensure they are not under the influence. An Ignition Interlock system is leased from the Ignition Interlock vendor.

#### **How much does the Ignition Interlock System cost?**

Cost may vary depending on the Ignition Interlock vendor chosen. An Ignition Interlock system is leased from the Ignition Interlock vendor. Currently, the average costs associated with leasing an Ignition Interlock system is between \$900 to \$1,300 per year. The individual required to have the Ignition Interlock system is responsible for all costs.

#### **How long must the ignition interlock system be on the vehicle?**

An individual is required to drive with an Ignition Interlock system for one year from the date their operating privilege is restored. However, a first offense conviction of violating 75 Pa.C.S. Section 3808(a) (relating to illegally operating a motor vehicle not equipped with Ignition Interlock) or 3808(b) (relating to tampering with an Ignition Interlock system) will cause the Ignition Interlock period to be extended for one year from the date of the conviction.

#### **Who approves the ignition interlock devices?**

PennDOT is responsible for publishing a list of approved Ignition Interlock systems. The list of approved systems is published in the Pennsylvania Bulletin.

# **Applying for an Ignition Interlock System/License**

## **How does an individual obtain an Ignition Interlock License?**

Thirty days prior to an individual's restoration eligibility date, PennDOT will mail an individual a restoration requirements letter. The letter will include an application for an Ignition Interlock License and information on how to contact an Ignition Interlock vendor. Once all restoration requirements are met and the Ignition Interlock has certified to PennDOT that either an Ignition Interlock system was installed in each vehicle to be operated or that no vehicles are owned, PennDOT will issue an Ignition Interlock License upon the restoration of the operating privilege.

## **What does an Ignition Interlock License look like?**

An Ignition Interlock License displays a red banner behind the word "Pennsylvania", the words "LIMITED LICENSE" towards the top of the license, and the words "IGNITION INTERLOCK" in the yellow map of Pennsylvania. An Ignition Interlock License permits an individual to only operate a motor vehicle equipped with an Ignition Interlock system. From the date the Ignition Interlock License is issued to the time an unrestricted driver's license is issued, an individual may not drive, operate, or be in actual physical control of the movement of any motor vehicle which is not equipped with an Ignition Interlock system.

## **How much does an Ignition Interlock License Cost?**

The fee for an Ignition Interlock License varies. For information on fees, please see PennDOT's Driver Licensing Fee Chart Fact Sheet. The Ignition Interlock License fee is in addition to the restoration fee that is required.

## **Who is responsible for verifying that all vehicles to be operated by an individual have had an approved Ignition Interlock system installed?**

An individual is required to complete a "Self-Certification of Vehicle(s) Owned/Operated" form (DL-21SC) listing either all the vehicles they to be operated or indicating that no vehicles are owned. If an individual indicates that no vehicles are owned, the Ignition Interlock vendor will verify this information by checking PennDOT's vehicle database. Once all the vehicles to be operated by the individual have had an Ignition Interlock system installed, or non-ownership has been verified, the vendor will send the self-certification form to PennDOT.

## **What if an individual cannot afford the ignition interlock system?**

An individual whose driving under the influence of alcohol or controlled substance violation occurred prior to September 30, 2003, may still choose to serve an additional year suspension in lieu of being required to comply with an Ignition Interlock requirement. Individuals who do not own any vehicles will be able to comply with the Ignition Interlock requirement by having an Ignition Interlock vendor certify that they own no vehicles and applying for an Ignition Interlock license.

## **How does an individual know that an ignition interlock system is required?**

If you are required to comply with an Ignition Interlock requirement, your suspension or revocation notice will list the requirement. In addition, a restoration requirements letter will be mailed to you 30 days before you are eligible to be restored listing the Ignition Interlock requirement.

## **What if an individual does not own a vehicle?**

If an individual does not own a vehicle, nor intends to operate a vehicle, they will still need to complete a "Self-Certification of Vehicle(s) Owned/Operated" form (DL-21SC) and take it to an Ignition Interlock vendor. The Ignition Interlock vendor will check PennDOT's vehicle database to ensure that there are no vehicles owned or registered to the individual. The Ignition Interlock vendor will then certify to PennDOT that the individual owns no vehicles. Once the individual has met all restoration requirements, PennDOT will issue an Ignition Interlock License.

## **Will the Ignition Interlock Vendor charge the individual to certify that they do not own any vehicles?**

An Ignition Interlock Vendor can charge for this service. The fee charged is established by the vendor.

## **I have an out-of-state license; how do I comply with the Ignition Interlock requirement?**

If an individual is not a resident of Pennsylvania, they will need to submit documents proving they are a resident of another state. Acceptable documents for proof of residency are the same as those required to apply for a Pennsylvania Driver's License, Learner's Permit, or Identification Card. For information on acceptable documents for proof of residency, please see PennDOT's Identification and Residency Requirements for U.S. Citizens publication (PUB 195US).

**I am moving or have moved out of the state, what are my options?**

Check with the Ignition Interlock vendors to inquire if they do business in the state in which you will be residing. If they do, you can have an Ignition Interlock system installed, apply for your restricted license, and then be restored. You will need to check with the Department of Motor Vehicles in the state in which you will be residing to inquire on the process of transferring your restricted Pennsylvania driver's license. If you have already moved out of state and are no longer a Pennsylvania resident, you will need to submit documents proving that you are a resident of another state. Acceptable documents for proof of residency are the same as those required to apply for a Pennsylvania Driver's License, Learner's Permit, or Identification Card. For information on acceptable documents for proof of residency, please see PennDOT's Identification and Residency Requirements for U.S. Citizens publication (PUB 195US).

**Where can an individual obtain a 'Self-Certification of Vehicle(s)' form (DL-21SC), or Ignition Interlock Employment Exemption Affidavit Form (DL-3805)?**

These forms are available on PennDOT's website at [www.dmv.pa.gov](http://www.dmv.pa.gov) (Select Forms and Publications). Forms can also be obtained by calling PennDOT's Customer Care Center at 717-412-5300.

## **Installing Ignition Interlock System**

For a list of approved Ignition Interlock vendors, go to the Pennsylvania DUI Association webpage at [www.padui.org](http://www.padui.org) and select the Ignition Interlock Vendors link in the middle of the homepage. If an individual does not have access to the internet, Ignition Interlock vendor information can be obtained by calling the Pennsylvania DUI Association at 1-800-627-2384. An Ignition Interlock system is leased from the Ignition Interlock vendor. Currently, the average costs associated with leasing an Ignition Interlock system is between \$900 to \$1,300 per year.

**Must an Ignition Interlock System be installed on every vehicle that an individual owns?**

No. The law only requires that all vehicles to be operated by an individual be equipped with an Ignition Interlock system. If an individual certifies that no vehicle is owned and the Ignition Interlock vendor check of the PennDOT vehicle database reveals ownership, the individual will be required to either have an Ignition Interlock system installed in the vehicle or transfer ownership.

**What if a family only owns one vehicle, how will other family members use that vehicle?**

Family members will still be able to operate the vehicle. They will need to go through the breath test whenever prompted by the system.

**Can the Ignition Interlock device be installed on a friend's, family member's, or company vehicle?**

There is nothing in the law that prohibits a friend, family member or employer from installing an Ignition Interlock system in their vehicle for the defendant's use. Any individual who uses the vehicle will be required to go through the breath test whenever prompted by the Ignition Interlock system.

## **Enforcement/Penalties**

**How is an Ignition Interlock requirement enforced?**

An Ignition Interlock license is unique and easily recognized by law enforcement. If an individual is stopped by law enforcement and presents an Ignition Interlock license, the vehicle they are operating must be equipped with an Ignition Interlock system.

**What happens if an individual with an ignition interlock license drives a vehicle without an Ignition Interlock system?**

An individual convicted of operating a motor vehicle not equipped with ignition interlock system is subject to the following penalties:

- Subject to fines and imprisonment.
- First Offense: Ignition Interlock period extended 12 months from date of conviction.
- Second and Subsequent Offense: 12-month suspension and must comply with Ignition Interlock before operating privilege can be restored.

# **Getting Your Unrestricted License Back**

## **How does an individual obtain an Unrestricted License after having the Ignition Interlock License for one year?**

If an Ignition Interlock requirement is imposed as a condition of restoration, thirty days prior to being eligible to receive an unrestricted driver's license, PennDOT will mail a notice to the individual that contains the date of their eligibility and an application to apply for an unrestricted driver's license. The notice will provide instructions on how to go about obtaining an unrestricted driver's license.

## **Declaration of Compliance?**

The Declaration of Compliance is a department-controlled form that Ignition Interlock vendors will utilize to certify that an individual has not had any incidents, as defined by law (see 75 Pa.C.S. Sections 3805(c)(2) (relating to issuance of unrestricted license) and 3805(h.2)(relating to declaration of compliance)), occur in the two consecutive months prior to the date entered on the certificate. Before PennDOT can issue an unrestricted driver's license, a Declaration of Compliance must be received from the Ignition Interlock vendor.

## **FEES**

### **Duplicate**

Class A, B, or C .....	\$29.50
Class A, B, or C with Class M .....	\$34.50

### **Renewal \* (If your license expires within 6 months)**

Non-Commercial License .....	\$30.50
Non-Commercial License with Motorcycle Endorsement .....	\$50.50
Commercial License .....	\$94.50
Commercial License with Hazmat .....	\$110.50
Commercial License with Class M .....	\$114.50
Commercial License with Hazmat and Class M .....	\$130.50

\* If your driver's license expires within the next 6 months, it is recommended that you complete and submit a renewal application at the time of petition in order to avoid paying another fee once the duplicate driver's license you are issued expires.

**Information regarding driver and vehicle services is available  
on the Driver and Vehicle Services website at [www.dmv.pa.gov](http://www.dmv.pa.gov)**

**OR**

**through our CUSTOMER CALL CENTER  
24 hours if using a touchtone (pulse-tone) telephone.**

Service Representatives are available between the hours of  
8 a.m. and 5 p.m.  
Monday through Friday  
(Eastern Standard Time)

**For direct assistance except on major holidays:**

### **In-State**

1-800-932-4600  
TDD 1-800-228-0676

### **Out-of-State**

1-717-412-5300  
TDD 1-717-412-5380