

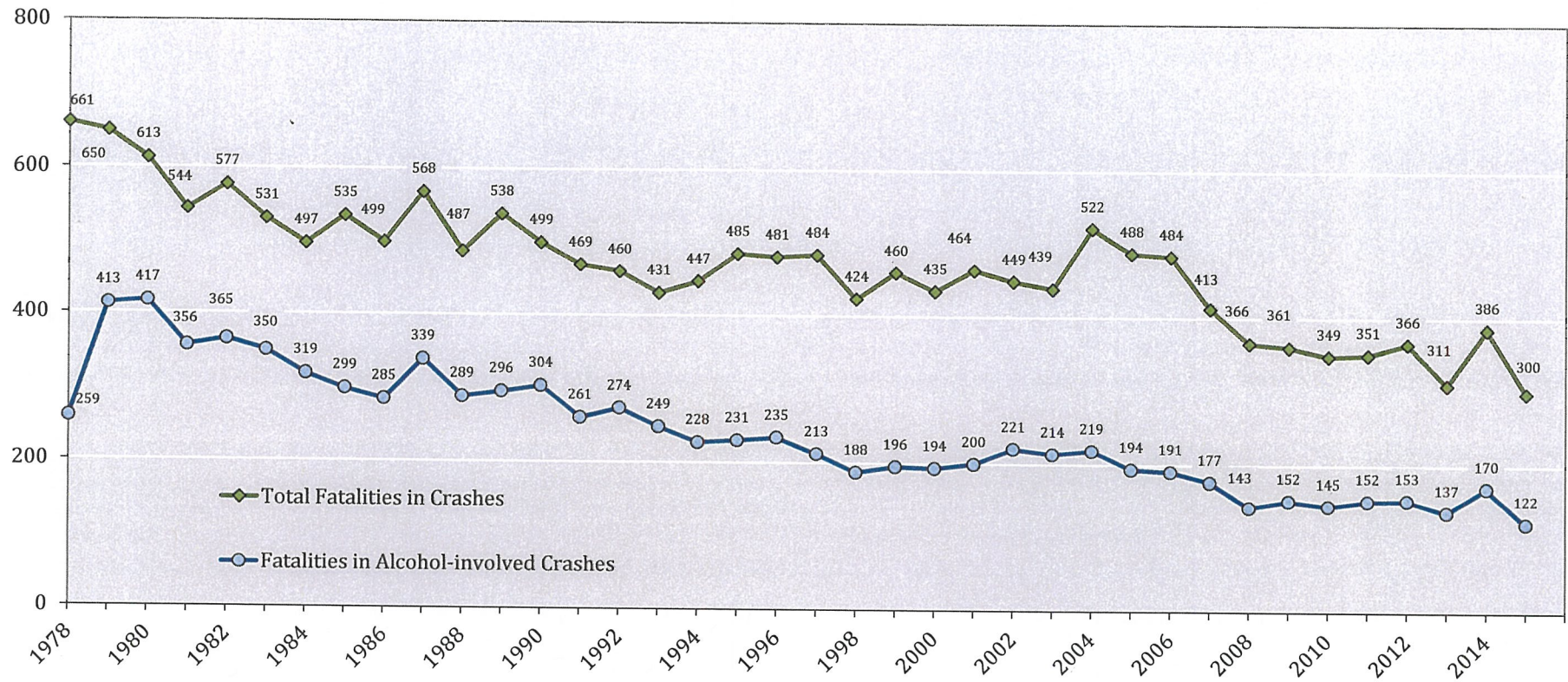
NM Ignition Interlock Program

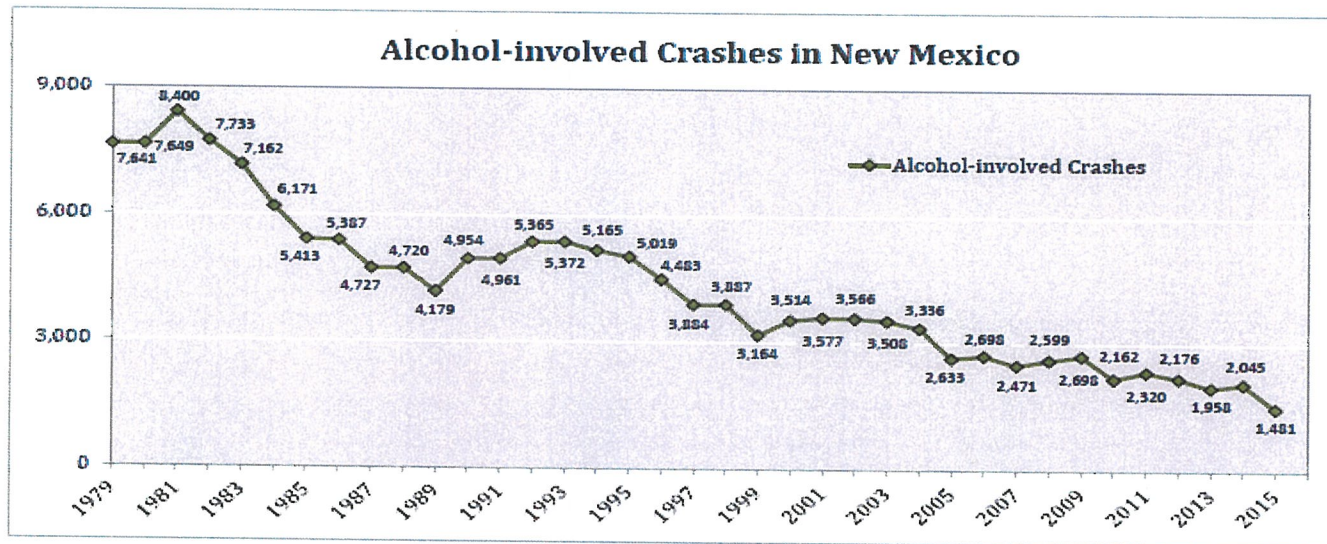
NEW MEXICO DEPARTMENT OF TRANSPORTATION
MICHAEL SANDOVAL, DIRECTOR MODAL DIVISIONS
FRANKLIN GARCIA, DIRECTOR TRAFFIC SAFETY DIVISION

Ignition Interlock History

- 1999 Interlock Optional for 2nd and 3rd DWI offenses
- 2002 Mandatory Interlock for 1st Aggravated and all subsequent offenses
- 2002 Interlock Indigent Fund created-Determined by Court
- 2003 Interlock License Act created
- 2005 Mandatory interlock for all DWI convictions**
- 2006 Interlock Fund moved from DFA to NMDOT
- 2007 Out of state applicants to be interlocked
- 2008 Penalties added for tampering and circumvention attempts
- 2009 Must show proof of interlock for 6 months before reinstatement
- 2010 Objective standard for Indigency-Determined by DOT

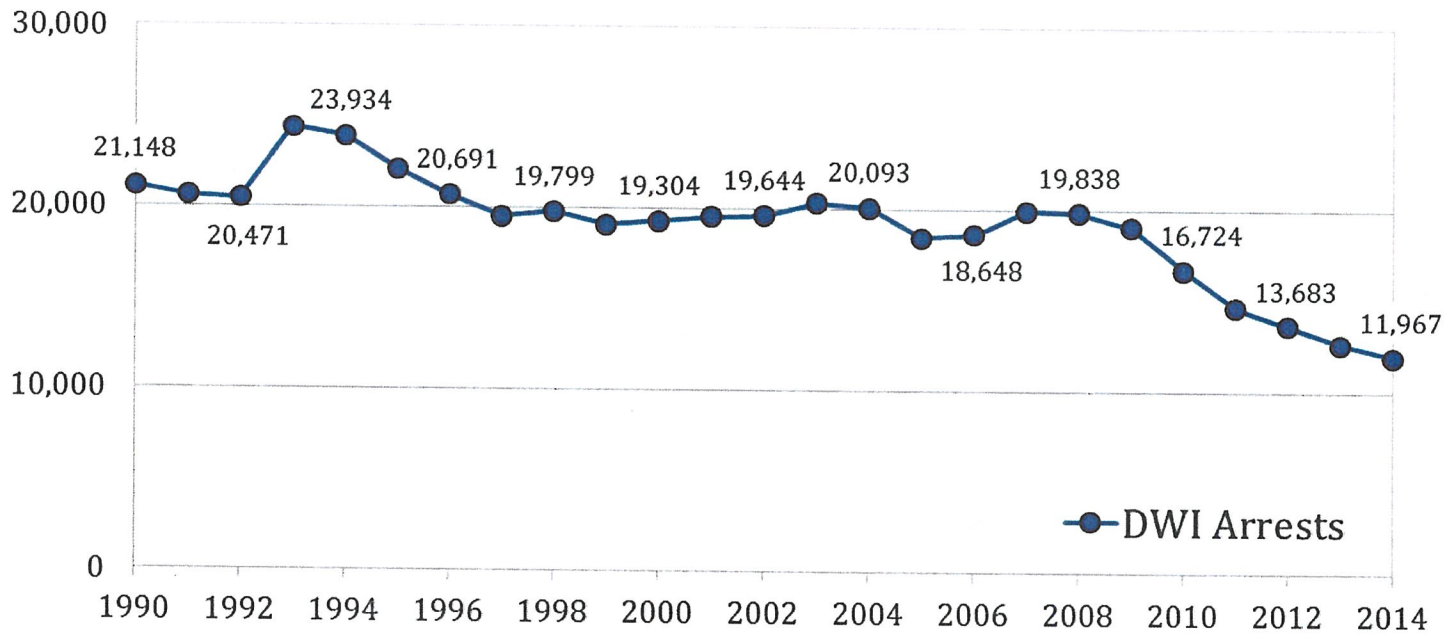
Total Fatalities in Crashes and Fatalities in Alcohol-involved Crashes





NMDOT Crash Database as of 04/06/2016. Preliminary 2015 data.
 Produced for the New Mexico Department of Transportation
 Traffic Safety Division, Traffic Records Bureau, under contract 5801
 By the University of New Mexico, Geospatial and Population Studies, Traffic Research Unit
 Report Date: 04/06/2016

DWI Arrests Statewide



New Mexico Current Law

--NMSA 66-8-102 (N) Person Under the Influence...

--Upon a conviction pursuant to this section, an offender shall be required to obtain an ignition interlock license and have an ignition interlock device installed and operating on all motor vehicles driven by the offender, pursuant to rules adopted by the bureau. Unless determined by the bureau to be indigent, the offender shall pay all costs associated with having an ignition interlock device installed on the appropriate motor vehicles. The offender shall operate only those vehicles equipped with ignition interlock devices...

Administrative Revocations

- Administratively the Motor Vehicle Division has revoked an average of 67% of all DUI offenders within 20 days of arrest.
- An additional 18% of DUI citations are administratively revoked after the MVD Implied Consent Hearing Process.
- An average of 85% of DUI citations result in a revocation through the administrative process

Reinstatement

- Driver must complete 6 months on Interlock and Interlock License
- Driver must have no evidence of tampering or circumvention
- All court requirements must be completed

Interlock Program Information

- Currently 12,669 interlocks in use in NM
- 10 Manufacturers, 57 service centers and 10 mobile service centers statewide
- Wiring is covered with tamper seals, devices have temperature and pressure gauges and minimum volume of air required
- Method for providing breath samples vary depending on manufacturer
- Devices calibrated on a regular basis

Interlock Program Information

- Only detects alcohol (no other drugs)
- Devices available with camera
- Devices set to “fail” if BAC is over .025
- Devices require rolling retests
- DOT funds Albuquerque Metro and Santa Fe County for compliance

Interlock Indigent Fund

--\$300K appropriated from Liquor Excise Tax yearly

--Fees imposed upon non-indigent offenders who install and utilize interlock. Currently fee is \$50 per year.

Indigent Fund Participation

- 2005 – 2006** 400 individuals utilized the fund
- 2009** 4000+ utilized the indigent fund (approximately 40% of the individuals interlocked at that time)
- 2010** Fund became insolvent and was suspended from 2/1/2010 – 10/1/2011
- 2012-Present** After revisions in the IIDF Law – Approximately 10% of those interlocked benefit from the Fund.

Interlock Costs and Subsidy Benefits

Average Interlock Costs - \$1130.00 yearly

Install - \$ 85.00

Removal - \$85.00

Monitor/Service - \$80.00

Subsidy Benefits prior to changes implemented July 1, 2010

Install, Removal & Monitor averaged \$650.00 yearly. That in combination with the number of individuals benefiting (from the fund) drove the fund insolvent.

Interlock Costs and Subsidy Benefits

Current Subsidy Benefits - \$460.00 yearly

Install – up to \$50.00

Removal – up to \$50.00

Monitor/Service – Up to \$30.00

Indigent clients do not have to pay the IIDF fund fee

Eligibility Criteria

Indigency shall be based on proof of enrollment in one or more of the following types of public assistance:

TANF-Temporary Assistance for Needy Families

GA-General Assistance

SNAP-Supplemental Nutritional Assistance Program (food stamps)

SSI-Supplemental Security Income

FDPIR-Federal Food Distribution Program on Indian Reservations

Other criteria approved by the Bureau

Indigent Fund Information

- Traffic Safety Division has staff of 5 that manages program and fund
- Applicants can get assistance by phone, website, email, walk-in services.
- Once approved, applicants can use any interlock provider
- Interlock Providers provide the service and are reimbursed by the Traffic Safety Division
- 95% of the time, interlock providers are reimbursed within 30 days

Questions

Michael.Sandoval1@state.nm.us 505.231.1826
Franklin.Garcia@state.nm.us 505.490.0890

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