

DEPARTMENT OF TRANSPORTATION'S

REPORT TO LEGISLATURE

OF

THE STATE OF HAWAII

ON

HCR 28, H. D. 1

REGULAR SESSION OF HAWAII 2007

**House Concurrent Resolution No. 28, H.D. 1:  
Requesting the Department of Transportation to Study  
the Feasibility of Requiring Vehicle Ignition Interlock  
Devices for Convicted Drunk Driving Offenders**

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
JANUARY 2008

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(HOUSE CONCURRENT RESOLUTION NO. 28, H. D.1)

**Report Title:** Requesting the Department of Transportation to Study the Feasibility of Requiring Vehicle Ignition Interlock Devices for Convicted Drunk Driving Offenders

**Description:** A Feasibility Study of requiring the installation of vehicle ignition interlock devices on vehicles of convicted drunk driving offenders, including exploring and recommending procedures for the introduction of ignition interlock technology to Hawaii.

**Attached herewith for consideration is the Department of Transportation's report on requiring the installation of vehicle ignition interlock devices on vehicles of convicted drunk driving offenders, including the introduction of ignition interlock technology.**

As specified in HCR28 HD1, the Department of Transportation (DOT), together with Mothers Against Drunk Driving (MADD) and other community stakeholders, formed a Working Group in early 2007 to study the feasibility of ignition interlock as a way of reversing the state's alarming increase in highway fatalities involving alcohol impaired drivers.

A listing of the Working Group members is attached, Appendix A.

The Group held two "plenary" sessions on April 25th and November 15<sup>th</sup>, 2007. In between these meetings, committee work was undertaken on legislation, community outreach and other important aspects of the project.

At the November 15th plenary session, held at the Capitol, the Group's Legislation Committee presented a list of twenty-one findings and recommendations, subsequently endorsed by the full Group. They appear as Appendix B. The most noteworthy points have been singled out and capsulated in the "Executive Summary" below.

Additional appendices include a brief description of the ignition interlock system (Appendix C) and a series of frequently occurring questions and answers about interlock in general (Appendix D).

Executive Summary

The Working Group believes a meaningful bill requires that all major issues be resolved before the drafting process begins. Perhaps the biggest unresolved issue involves follow-up on offenders once they have been ordered to install interlock devices: Should this be handled via

probation, proof-of-compliance procedures, or other mechanisms which may or may not currently exist? Should the system be judicial or administrative or a combination of the two? How much will such a system cost? Which agencies should be involved? Discussions with the Judiciary and other interested parties have been ongoing, but could not be concluded by the deadline specified in HCR 28 HD1.

Therefore, the Group recommends that its work be extended into 2008. It is likely that a major part of the year will be needed to craft a comprehensive, workable bill to then be submitted to the 2009 Legislature. The Working Group will need to request an extension of its official authority at least through 2008 and suggests that the Legislative Reference Bureau be requested to assist in drafting legislation on behalf of the Group.

The Group is cognizant that other interlock legislative initiatives may already be in preparation. The Group and/or its constituent members and organizations intend to take an active and constructively critical interest in any bills appearing in 2008 from other sources.

The Working Group believes that any legislation, whether from the Working Group itself or from other sources, must include the following key provisions to be effective. They, as well as other provisions, are outlined in more detail in Appendix B.

1. All convicted DUI offenders, not just repeat offenders, must be sentenced to have interlock devices. Even the first time offender is a serious danger to the public. By the time someone has been arrested for his first DUI, he has driven drunk on an average of 87 previous occasions.
2. Interlock must be mandatory. In states where it is a sentencing option, it has not been used in large enough numbers to get any significant number of impaired drivers off the road. And interlock companies will balk at setting up systems in Hawaii if projected usage volumes are too low.
3. Interlock sentence length should vary: shorter for first offenders, longer for high risk drivers, second offenders, etc. Incentives for compliance, and penalties for non-compliance or cheating, are important. For example, consecutive months with no attempt to start the vehicle with a breath alcohol level, would result in early removal of the device. Conversely, repeated failed attempts to start, indicating that the offender still attempts to drink and drive, would result in extending the period of the original sentence.
4. An "ignition interlock driver's license" would be mandated. Holders would only be permitted to drive interlock-equipped vehicles. Provisions for company fleet cars and other work-related vehicles are touched on in Appendix B.
5. As is common with interlock devices everywhere, "rolling retests" must be required — randomly timed warnings for the offender to pull off the road and again blow into the device. This is to prevent someone else from starting the car and the offender then taking the wheel impaired.
6. A digital camera synchronized with the test blow is available from some manufacturers and should be required as part of the anti-circumvention and anti-tampering tools built into most systems.

7. Circumvention and tampering should be treated as new crimes.
8. Since the cost of the device and system is borne by the offender, an indigent fund must be established for those with proven inability to meet the costs.
9. A period of 18 months to 2 years following passage of legislation should be allowed for implementation.

We would suggest to the Legislature that the Working Group's term be extended at least through 2008, so that progress can be made on a comprehensive legislative recommendation and so that the Group can be called upon as a knowledgeable resource by the Legislature, Executive offices, and Judiciary as desired.

APPENDIX A

IGNITION INTERLOCK COMMITTEE MEMBERSHIP

First Name	Last Name	Title	Affiliation/Title	Landline
Benjamin	Acob	Prosecuting Attorney	Office of the Prosecuting Attorney-Co. of Maui	270-7777
Roz	Baker	Chairman	Senate WAM Committee	586.6070
Kari	Benes	Traffic Safety Coordinator	Department of Health, Injury Prevention Control Program	586-5912
Steven	Bloch	expert	AAA (California?)	
Janel	Causey	Gov. Policy Office		586-0217
James	Dannenberg	Judge (per diem)	District Court of the First Circuit	261-4954
Tim	Dayton		Geico Insurance Company	
Craig	DeCosta	Prosecuting Attorney	Office of the Prosecuting Attorney-Co. of Kauai	241-1888
Anita	DiMauro	Chair- Program Committee	MADD Hawaii	947-5744
Susan	Dowsett	Major	Traffic Division, Honolulu Police Dept.	529-3698
Kalani	English	Senator	Chairman, TIA Committee	587.7225
Carolyn	Fujioka	Director of Public Affairs	State Farm Insurance	836-3946
Josh	Green	Representative	Chairman, House Health Committee	586.9605
Marc	Guyot	Deputy Prosecuting Attorney	Kauai Prosecutor's Office	241-1888
Sharon	Har	Representative	State House of Representatives-Legislature	586-8500
Clayton	Hee	Senator	Chairman, Judiciary Committee	586.7330
Sean	Hiraoka	State Traffic Safety Engineer	DOT, Highways	692-7684
Timothy	Ho	Chief Deputy Public Defender	Office of the Public Defender	586-2200
Gordon	Hong	Coordinator	Safe Communities Program, DOT	587.6302
Charlene	Iboshi	First Deputy Prosecutor	Office of the Prosecuting Attorney, Hawaii Co.	934.3302
Lorraine	Inouye	Senator	Vice Chair, TIA Committee	586.7335
Alex	Kaonohi	Administrator	Motor Vehicle Safety Office, DOT	692.7650
Jay	Kimura	Prosecuting Attorney	Office of the Prosecuting Attorney-Hawaii Co.	961-0466
Les	Kiyabu	Administrator	Judiciary, Driver Education	440-5501
Arkie	Koehl	Chairman- Public Policy	MADD Hawaii	529.0908
Marie	Kosegarten	Deputy Prosecuting Attorney	Maui Prosecutor's Office, District Court	270-7787
Marilyn	Lee	Representative	Vice-Chair, House Finance Committee	586.9460
Robert	Lung	Administrative Sergeant	Honolulu Police Department	529.3497
Joanna	Markle		Goodsill Anderson Quinn & Stifel on behalf of Alliance of Automobile Manufacturers	547.5827
Leah	Marx	MADD Executive Director		532-6751
Carol	McNamee	Public Policy Committee	MADD Hawaii	373.3201

Mark	Miyahira	Deputy Attorney General	Department of the Attorney General, Criminal Justice Division	586.1160
Lee	Nagano	Highway Safety Specialist	Hawaii DOT	587.6301
Tam	Nguyen	Chemist/DUI Coordinator	Dept of Health - Laboratories Division	453-6676
Ryan	Nishibun	Sergeant	Traffic Division, Honolulu Police Dept.	540-8290
Lori	Nishimura	Deputy Prosecutor	Office of the Prosecuting Attorney - C&C Hono	547.7486
Walter	Ozawa	Deputy Administrative Director	Judiciary, Administrative Director's	539-4902
Dave	Rolf	Executive Director	Hawaii Auto Dealers Assoc.	593.0031
Mitch	Roth	Chairman	Governor's Highway Safety Council+D60	934.3508
Gareth	Sakakida	Managing Director	Hawaii Transportation Association	833-6628
Ron	Sakata	Chief Administrator	ADLRO	534.6800
Mark	Scribner	Traffic Commander	Traffic Division, Kauai County Police Dept.	241.1612
Renee	Sonobe-Hong	Deputy Prosecuting Attorney	Honolulu Prosecutor's Office, Traffic Division	547.7518
Joe	Souki	Representative	Chairman, House Transportation Committee	586.9444
Kevin	Souza	Lieut. Gov. Staff		586-0255
Jeffrey	Tanoue	Lieutenant	Traffic Division, Maui County Police Dept.	244-6346
Eric	Tash	Manager	DOH Injury Prevention Office	586-5942
John	Tonaki	Public Defender	Office of the Public Defender	586-2090
Richard	Velazquez	Regional Manager	AAA Hawaii	529-5000
Dexter	Veriato	Sergeant	Hawaii County Police Department, Traffic Services Sector	961.2305
Sharon	Vitousek,M.D.	Director	North Hawaii Outcomes Project	887.1665
Tommy	Waters	Representative	Chairman, House Judiciary Committee	586.9450
Elaine	Wilson	Former Chief - ADAD (DOH)		
Lianne	Yamamoto	Traffic Safety Specialist	Department of Transportation	587-6315

## APPENDIX B

### **Findings, Recommendations, and Discussion Notes**

#### *Legislation Committee Ignition Interlock Working Group*

November 15, 2007

1. In order to work effectively, an ignition interlock law must require all OVUII offenders to install a vehicle ignition interlock device on their vehicles. If the law allows for an option for first-time offenders, it is believed that the majority of offenders will choose a license suspension sanction under the existing law as the easier alternative.
2. The Committee recommends that minors adjudicated for OVUII not be sentenced to drive in an interlock equipped vehicle. Instead the proposed law should continue to suspend or revoke the minors' licenses consistent with 286-102.6 and 281-101.5.
3. The interlock system should be mandated on a two track tier through the ADLRO process and through the court system. It has been determined that it is important to install the interlock on an offender's vehicle as soon as possible to prevent the person from "learning" that he can illegally (but probably successfully) drive on a suspended or revoked license. Therefore, an administrative system is encouraged.
4. A person, ordered to use the interlock device, would get a driver's license indicating that status (i.e. similar to licenses clearly stating that person is under age of majority). After probation is completed, the offender would need to follow certain procedures in order to get a standard license. Question: Is there an SR22 (proof of financial responsibility) requirement?
5. The selected interlock system(s) should permit a rolling retest to ensure that an offender is not tempted to drink after starting the car. If the retest shows a blood alcohol level, the vehicle must respond in some way – flashing lights, sounding horn, etc – but the engine does not stop running. Failure to take the retest or a violation caused by a positive retest BAC will be captured by the interlock's data logger.
6. There should be no criminal penalty for a "failure" which occurs when a person attempts to start the engine and the interlock device registers alcohol in the breath sample.
7. Early termination of the interlock device requirement in cases where the offender has shown early substantial compliance over a specific time period should be considered. If so permitted, clear and detailed criteria should be established.
8. Tampering with or circumventing the interlock device should be a new crime. Additionally, 291E-62, "operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant"

should be amended to include violations where a person operates a vehicle in violation of interlock restrictions.

9. New offenses such as tampering or license violations must include a sentencing provision requiring an additional period of using interlock device similar to 291E-62 (i.e. additional license suspension ordered under 291ED-62).
10. If a person commits a subsequent OVUII offense while on probation, it should be treated in a similar manner as the current law (i.e. as a 2nd, 3rd, or more offender). Probation could be revoked and the person resentenced while also being prosecuted for the subsequent offense.
11. The interlock device should include a small camera (mounted to the inside of the windshield) to photograph the driver in order to prevent fraud and to also protect the offender from being falsely accused.
12. All offenders must be given the same sanction. The offender who states that he has no car must also be issued an interlock license so that it is clear that he must use a car equipped with interlock if he is going to drive.
13. At this time, a motorcycle cannot be fitted with an interlock device. Therefore, this class of offenders may be required to pick one of two options: 1) agree to drive a car with an interlock device or 2) choose to forgo the interlock device and agree to a straight license suspension or revocation.
14. There must be an indigent fund with clear eligibility criteria for receiving assistance.
15. The Committee has reviewed how the C&C of Honolulu Driver's Licensing division will approach this proposed new law by issuing a "marked" license to those required to drive only with an interlock device attached. (See # 4 )
16. The issue of an exemption for an offender to drive an employer's car in the course of employment without an interlock device should be reviewed.
17. The Committee must review the issue of OVUII Drug offenders. Statistics show that they are often poly-substance abusers so it may be appropriate to require this class of offenders to also be ordered to drive a car equipped with an interlock device.
18. The new law will have to fund increases in personnel (i.e. probation)
19. The Committee must review the issue of the way defendants should be monitored (i.e. probation, proof of compliance hearings, etc). There are pros and cons for each alternative.

For probation, the pros include:

- 1) Probation is an established method of monitoring defendants.
- 2) Failure to comply with conditions and terms of sentence could lead to revocation or modification of probation.

The cons include:



- 1) Sentencing OUI defendants to probation will require an increase in probation officers and require an increase in funding
- 2) Under 706-624(2)(a), a defendant sentenced to probation for a petty misdemeanor can be sentenced to serve no more than five days in jail. This would conflict with the sentencing scheme for repeat offenders under the OUI statute
- 3) The probationary period for a petty misdemeanor might not be able to cover the entire period of license restriction requiring interlock device.

The pros for monitoring the defendant through a series of compliance hearings include:

- 1) By forgoing probation, the sentencing structure of the OVUII statute would not have to be changed.
- 2) Monitoring would not be limited by probationary period.

The cons include:

- 1) There could be a potential increase in court congestion by requiring more proof of compliance hearings.
- 2) There is no mechanism to punish defendant for non-compliance other than to charge defendant with criminal contempt of court.

20. If probation is established for OUI offenses (to monitor interlock users), there is a question of whether the probationary period for 1st, 2nd, and 3rd time offenders can be lengthened. Under current law, an OUI for 1st, 2nd, and 3rd time offenders is a petty misdemeanor. According to 706-623(1)(d), probation for a petty misdemeanor is six (6) months, which can be increased to one year upon a finding of good cause. Pursuant to 706-623 (1)(c), probation for violations of 586-4, 586-11, and 709-906 may be increased to two (2) years.

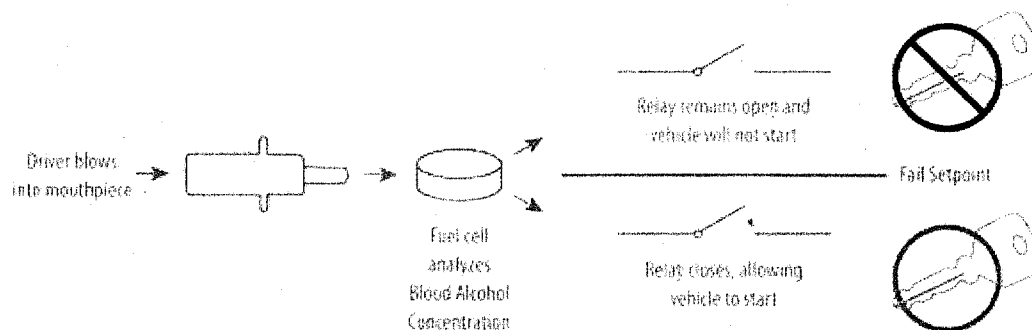
## APPENDIX C

### Ignition Interlock in Hawaii

The federal government's current "Traffic Safety Annual Assessment" ranks Hawaii worst in the nation in terms of the percent of total fatal traffic crashes which are alcohol-related. This disturbing ranking is baffling, because our state leaders — legislative, executive, Judiciary and community — have done so much to combat drunk driving.

MADD believes that people who are still driving drunk are doing it because they can — in spite of all the laws currently in place. In response to this sad fact, most states now recommend the use of **ignition interlock devices** in the vehicles of DUI offenders, and several states require interlocks for all offenders. Hawaii is one of only five states with no ignition interlock law of any kind.

Interlock devices are small, sophisticated instruments installed into the starting circuit of vehicles. They are about the size of a cell phone. The driver blows into the device using a special technique that discourages others, who have not been trained, from performing the procedure. Some devices also come equipped with a digital camera that takes a synchronized photo of the person initiating the test. In just a few seconds, the device determines if the operator is alcohol-impaired, based on pre-programmed parameters. The vehicle starts up for a sober driver and will not start for a drinking driver. Periodic re-tests are required after the car is underway. A data logger captures and reports all pertinent data, including attempts to circumvent or tamper with the device.



Offenders, not taxpayers, absorb the costs for the installation and operation of these devices. Offenders themselves favor interlock, because they can avoid a lengthy judicial or administrative license suspension that may precipitate a job loss or life-altering circumstances. With an interlock device, the offender is able to drive normally, pursuing his/her daily activities and career — but the public is safer, and lives are saved.

A generation of studies has shown how effective ignition interlock is in preventing drunk driving. It's time for Hawai'i to implement ignition interlock as a proven way to protect ourselves and our children from the nation's most frequently committed, and 100 percent preventable, violent crime — drunk driving.

The attached **Frequently Asked Questions** cover cost, cheating, effectiveness and more.

## APPENDIX D

### Ignition Interlock: Frequently Asked Questions

**Q1: What is a breath alcohol ignition interlock device?**

A: It is a small device attached to a vehicle's electrical system that requires a driver to submit to a breath test before the vehicle will start.

**Q2: How does an alcohol ignition interlock device work?**

A: The driver blows into the device to determine his/her BAC. If alcohol is detected at or above a predetermined threshold, the vehicle will not start. Once the driver passes the test, the vehicle is permitted to start. In most states, the driver must complete "running retests" to make sure he/she remains sober while driving. All tests taken by the driver are recorded and should be transmitted to proper authorities responsible for monitoring the offender.

**Q3: What is the definition of "running retest" and how does it work?**

A. A running retest requires offenders to blow into the device at random intervals once the vehicle has been allowed to start. A sound and a digital display will indicate to the driver when a retest is required. The interlock does not have the ability to stop the vehicle once it is running for safety reasons. When a driver fails a running retest, the vehicle's horn will honk and/or the lights will flash to alert law enforcement – the vehicle will not stop. A running retest discourages a driver from having a sober person start his vehicle and it deters the driver from drinking after he initially starts the car and begins driving.

**Q4: Is it dangerous to provide a running retest?**

A: The tests are not designed to be done while the car is actually rolling. Interlocks give people a few minutes – enough time to pull over – to perform the retest.

**Q5: How reliable are alcohol ignition interlock devices?**

A: Currently, alcohol ignition interlocks are required by National Highway Traffic Safety Administration (NHTSA) standards to prevent a car from starting 90 percent of the time, if the BAC is .01 percentage points greater than the preset limit (.02 percentage points in extreme conditions). NHTSA is considering making these standards stricter in the next year.<sup>1</sup>

**Q6: Is it constitutional to require interlocks on cars as a part of sentencing?**

A: Courts throughout the states have analyzed this issue and no state appellate court has overturned an interlock statute. Twenty states have alcohol ignition interlocks as part of

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<sup>1</sup> "Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDs)." *Federal Register* 71 (February 15, 2006).

mandatory sentencing for certain DUI offenses and none of these statutes has been challenged successfully.

**Q7: What is the cost of the device and what if the offender cannot afford it?**

A: On average, interlocks are about \$70-150 to install and about \$60-80 per month for monitoring and calibration. This is less than three dollars a day, less than the cost of one bar or restaurant drink. If the cost is a problem, in most states, interlock companies provide interlock devices for indigent offenders at reduced costs or an indigent fund is set up by the state to cover the costs for these offenders.

**Q8: Are there ways to bypass using the device, like having someone else blow into it?**

A: This is possible, and there needs to be strict penalties for blowing into someone else's alcohol ignition interlock or for having someone else blow into the interlocked driver's device. However, currently interlocks are required to have anti-circumvention features that prevent such activity. One of these features is the running retest. Furthermore, blowing into an interlock is a learned skill that requires specific training that would most likely be difficult for an impaired person to administer to someone else. There are also tamper-proof seals on interlocks. And some manufacturers now offer digital cameras synchronized to the act of blowing.

**Q9: Couldn't someone just use compressed air to blow into the device?**

A: No, the devices have temperature and air pressure gauges to make sure this cannot occur.

**Q10: Does the public support alcohol ignition interlocks?**

A: Country-wide, a majority of the public (65%) supports mandatory alcohol ignition interlock devices for all convicted DUI offenders.<sup>2</sup> Interlock systems will allow offenders to drive legally anytime and anywhere they want, since the car won't start if they've been drinking. This is a great convenience for offenders and their families, compared with current statutes that severely restrict when and where offenders can legally drive.

**Q11: Is interlock a fair sanction for first time offenders?**

A: Yes, even convicted offenders think so. A survey of offenders in Albuquerque indicated that 82 percent of offenders think that alcohol ignition interlocks are a fair DWI sanction for convicted offenders.<sup>3</sup> Furthermore, research shows that people arrested for DUI have driven drunk an average of 87 times before being caught.<sup>4</sup> This tells us that many first-time offenders may not *really* be offending for the first time; it's just the first time they were arrested.

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<sup>2</sup> Gallup Survey, 2005.

<sup>3</sup> Roth, Richard. *7th Annual Ignition Interlock Symposium*. Vail, CO, 2006.

<sup>4</sup> Zador, Paul, Sheila Krawchuk, and B. Moore. (1997) "Drinking and Driving Trips, Stops by Police, and Arrests: Analysis of the 1995 National Survey of Drinking and Driving Attitudes and Behavior," Rockville, MD: Estat, Inc, 1997.

**Q12: Aren't interlocks an inconvenience to family members who share the offender's vehicle?**

A: No, they are allowed to drive the vehicle as well; they simply must not drink and drive. Having an interlock installed on an offender's vehicle actually allows the offender and his or her family members to continue to drive legally. Other sanctions like vehicle impoundment or immobilization do not allow for this.

**Q13: What if someone's health inhibits them from providing a sufficient breath sample?**

A: Individuals with low lung capacities due to having asthma or pulmonary disorders are generally able to provide the needed breath sample. If they can demonstrate that they are unable, the settings on the devices can be adjusted to account for this. Failing that, medical waivers are allowed. Our Hawaii interlock statutes will address such contingencies.

**Q14: If someone has recently had a drink of alcohol, won't the device register a much higher BAC?**

A: If this occurs, the individual can just wait a few minutes for the mouth alcohol to dissipate and blow again.

**Q15: Don't offenders go back to their old behavior after the device is removed?**

A: Studies have shown that interlock devices decrease recidivism anywhere from 50-90 percent while installed on the vehicle. After they are removed, these rates tend to go back to normal. This most likely would not be the case if interlock programs were coupled with treatment and offenders were not allowed to have the device removed until they exercise a period of demonstrated compliance. An offender's likelihood of re-offending is much greater if they fail tests during the interlock period. Unfortunately, in most states, offenders still automatically get the device removed at the end of the specified period, even if they failed a test the day before. It is essential that Hawaii add provisions for treatment and extended periods for non-compliance in order to make our laws more effective.

**Q16: Won't offenders just re-title their cars or sell them to avoid having to install an interlock?**

A: This is not extremely common, but it does happen. It is imperative that state laws accommodate this by mandating that all cars that the offender operates, not just owns, are equipped with an interlock. Some states require additional measures to ensure that this happens.<sup>5</sup>

**Q17: Can you clarify which states implemented and are enforcing this program?**

A: 46 states have interlock laws. However, the following states are among those considered by MADD to be most effectively implementing solid laws: Florida, Maryland, Colorado, Pennsylvania, Texas, Oregon, Illinois and New Mexico. Arizona adopted a strong interlock law in 2007. Many other states have legislation pending.

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<sup>5</sup> Voas, Robert et al. "Motivating DUI Offenders to Install Interlocks: Avoiding Jail as an Incentive." *Accident Analysis and Prevention* 25 (2001): 102A.

**Q18: Will interlock rules cover commercial as well as household vehicles?**

A: Yes. The method has not yet been determined for Hawaii.

**Q19: What about motorcycles?**

A: At the present time interlock technology is not widely available for motorcycles. We believe motorcycles will, for the time being, have to continue to be covered by current license suspension and revocation statutes.

**Q20: How long will an offender be required to use the interlock device?**

A: The law will specify sentencing periods, which will undoubtedly increase in length from first offense to high-risk driver to multiple offense, etc. Additionally, a "carrot and stick" approach, with sentences shortened for successful compliance, and lengthened for non-compliance, would be desirable.

**Q21: Is interlock effective against drunk driving?**

A: The National Institute on Alcohol Abuse and Alcoholism found that there is clear evidence that the ignition interlock device, installed in the offender's vehicle, is substantially more effective than license suspension in deterring DUI recidivism. It also found a direct correlation between the amount of time the device was required in the vehicle and the number of times the driver was re-arrested for a new DUI offense.

An International Council on Alcohol Drugs and Traffic Safety study concluded that "breath alcohol ignition interlock devices, when embedded in a comprehensive monitoring and service program lead to 40- 95% reductions in the rate of repeat DWI offenses of convicted DWI offenders."

The National Highway Traffic Safety Administration concluded that attaching an interlock to a car for a year after its operator is convicted of driving while intoxicated would reduce recidivism by an estimated 75% and alcohol-related fatalities by 7%.

Numerous other studies are available.

**Q22: Can we be certain that Ignition Interlock companies will do business in Hawaii since we are a small state with unique geographical challenges?**

A: MADD has been assured by at least one company that establishing an interlock operation in Hawaii would not be a problem. However, it is important that the law Hawaii adopts not offer interlock as an option but that it is mandatory. We must be able to provide companies with an estimate of how many drivers will be eligible for an interlock each year. Companies will have their own "minimum" projected interlock usage to aid in their decision to submit an application to do business in the state.

**Q23: Who retrieves the information from the small computer device attached to the Interlock?**

A: Service centers are established at various locations across a state. These centers can be "dedicated," but more typically are contracted to existing businesses, like electronic or

automotive companies. Interlocked drivers are required to drive in and have the information downloaded from the data-loggers in their vehicles, usually monthly.