

Links to information on DMV website

Frequently asked questions about ignition interlock devices

<http://www.dot.wisconsin.gov/statepatrol/docs/iid-faq.pdf>

Summary of drunk driving law changes (2010)

<http://www.dot.wisconsin.gov/drivers/drivers/enforce/owi.htm>

How to apply for an occupational license

<http://www.dot.wisconsin.gov/drivers/drivers/revoke/occ-apply.htm>

How to reinstate a driver's license or driving privilege (Wisconsin residents)

<http://www.dot.wisconsin.gov/drivers/drivers/revoke/suspend-revoke.htm>

Ignition interlock device installation and service centers – list

<http://www.dot.wisconsin.gov/statepatrol/docs/iid-service-center-list.pdf>

Ignition interlock device installation and service centers – map

<http://www.dot.wisconsin.gov/statepatrol/docs/iid-service-center-map.pdf>

DOT: Frequently asked questions about ignition interlock devices
<http://www.dot.wisconsin.gov/statepatrol/docs/iid-faq.pdf>

Legal Issues

Q: Who can be ordered to install an ignition interlock device?

- A: Wisconsin Act 100, which took effect on July 1, 2010, requires judges to order an IID for:
- ALL repeat OWI offenders
 - ALL first time OWI offenders with an alcohol concentration of 0.15 percent or higher
 - ALL drivers who refuse to provide a breath or blood sample for a chemical test at a traffic stop

Q: How does an IID order affect the offender?

- A: The order affects the offender in two ways. First, the IID order applies to every vehicle owned by the offender, regardless of what type of vehicle (car, pickup, van, motorcycle, or large truck). Second, the offender's driving privilege is restricted so that they can operate only IID-equipped vehicles during the duration of the order.

The law does give the court some discretion to exclude one or more vehicles from an IID order if the offender can convince the judge that compliance would cause undue financial hardship. One example might be to allow the spouse to avoid IID installation in a vehicle that only the spouse drives. Offenders may not operate a vehicle that requires a regular (Class D) driver's license if the vehicle is not equipped with an IID while their operating privilege is restricted. The courts have no discretion to waive or modify that restriction.

Q: Will the stronger IID law make our roads safer?

- A: The roads will be safer as long as OWI offenders actually comply with their court order to have an IID installed. Once equipped with an IID, a vehicle will not start if the driver has an alcohol concentration over 0.02 percent and will set off alarms if the driver's alcohol concentration reaches that level after the vehicle has been started.

Q: What if the offender chooses not to drive?

- A: Convicted OWI offenders may choose not to drive, but they cannot simply "wait out" the clock on their IID order. Offenders may be prosecuted for failure to comply with the IID order. When and if offenders choose to restore their operating privilege, the clock will start on their IID order on the day DMV issues them any kind of license.

If offenders choose to apply for an Occupational License from DMV, which allows them to drive to/from work or school, or to take care of essential household activities, then their restricted operating privilege will be conditioned on driving a vehicle equipped with an IID and it will not matter who owns the vehicle (the offenders, their employer, or whomever loaned them a vehicle).

Offenders who are serving a sentence in county jail and qualify for daily work release, will have two weeks in which to show proof of having an IID installed. Failure to do so will result in revocation of work release privilege.

If offenders choose to wait until after their court-ordered license revocation period is completed, the clock starts on their IID order the day their full operating privilege is reinstated.

Q: What if the offender does not own a motor vehicle?

A: Even if the OWI offender does not own a vehicle, the operating privilege will be restricted. If the offender borrows, leases or rents a vehicle, it must be equipped with an IID for them to legally operate it.

Q: What happens if the offender does not comply with the IID order?

A: Failure to install an IID in each vehicle owned by the offender will result in a fine of \$150-\$600 and/or up to six months in jail at court's discretion, plus a mandatory six-month extension of the IID order period. A second or subsequent violation within five years will result in fines up to \$1,000.

Q: What happens if the offender attempts to circumvent, disconnect, remove or tamper with the IID?

A: An IID will activate the vehicle's emergency lights and horn if any attempt to circumvent, disconnect, remove or tamper is detected. The event is also recorded in the device memory, and a service reminder will be immediately activated.

Act 100 criminalizes IID circumvention, disconnection, removal or tampering with fines from \$150-\$600 and/or up to six months in jail at the court's discretion, plus a mandatory six-month extension of the IID order period. Circumvention includes breath samples from sources (human and non-human) other than the offender, manipulation of samples that enable a driver with a prohibited alcohol concentration to start or operate a vehicle equipped with an IID and failure to complete any required servicing.

IID Installation and Operation

Q: How much do IIDs cost?

A: The State of Wisconsin does not regulate the various fees associated with leasing an IID. The offender will be assessed a \$50 surcharge by the court. The IID vendor will charge an installation fee which ranges from \$75-\$150. The IID lease and service agreement includes a monthly fee, generally \$60-\$90. There are additional fees, which vary by vendor, for routine monitoring, recalibration, and insurance. Routine service, including reporting all IID data to the sheriff of the county where the offender resides, is required every 60 days.

At the conclusion of the IID restriction, a removal fee of \$40-\$60 is also assessed. The total cost for an IID can be substantial, considering that a court order must be for a minimum of 12 months.

Low-income offenders, with annual incomes less than 150 percent of the Federal Poverty Level (FPL), are entitled to pay only half of the regular cost of IID installation and monthly service fee. The FPL is adjusted annually and depends on the number of people in the household. For 2010, 150 percent of the FPL for a single-person household is \$16,245 and \$33,075 for a four-person household.

Q: How does an offender go about installation of an IID?

A: A list of IID installation and service centers is maintained on the WisDOT website. Offenders should call the toll-free number listed to obtain cost information and to schedule installation at the service center of their choice.

Q: How and when is a breath sample provided?

A: Each device has specific requirements for providing samples. Proper technique will be taught at the time the IID is installed. In general, a person has up to three tries within five minutes to provide a breath sample to start the vehicle. If there are three failed or aborted attempts to provide a breath sample, the IID enters a "Temporary Lockout" and the vehicle will not start for 15 minutes.

A second breath sample will be required approximately five minutes after the vehicle has started. Additional breath samples will be required at random (5-30 minute) intervals for as long as the engine is running. These are referred to as "rolling retest" samples.

Q: What prevents the driver from drinking after the vehicle has started?

A: If the breath sample during a rolling retest tests above the 0.02 limit, or if the driver fails to provide retest samples, the vehicle's horn and emergency lights will be activated by the IID. The IID will not, under any circumstance, shut the vehicle off.

The only way to stop the horn and lights is for the driver to turn off the engine. If the driver's breath sample tests above the limit after stopping the engine, the vehicle will not start.

Q: What prevents the driver from having someone else provide a breath sample to start the vehicle?

A: By definition, this would be circumvention. The person who provided the sample will face a substantial penalty (up to six months in jail and a \$150-\$600 fine). The offender would also receive a 6 month extension of the IID order.

Q: Under what circumstances would an IID prevent a vehicle from starting?

A: If the driver provides a breath sample above the 0.02 limit, the IID will prevent the vehicle from starting.

If there are three breath samples above 0.02 on separate occasions, or if breath samples are not submitted for three consecutive rolling retests, or the IID detects an attempted circumvention or tampering, a service feature is activated. The offender must then see the service provider within seven days for a "violations reset."

If the vehicle is not taken in for IID service within seven days of the violations reset, the IID will go into "permanent lockout", which means the vehicle will not start until the IID is reset by the service provider. The offender might need to have the vehicle towed to the service provider or request mobile service in the event of permanent lockout.

Q: What if the IID loses power?

A: All IIDs are required to retain tamper detection capability even when disconnected to the vehicle's power supply. The device retains all event data, including the date, time and result of every breath sample, every engine start and stop, and any attempt to circumvent or tamper with the system.

IID Service Provider Requirements

Q: What are the requirements for IID service providers in Wisconsin?

A: The requirements for IID service providers include:

- IID providers must have a reasonable number of installation and service facilities within the state.
- A 24-hour toll-free telephone number must be available to answer questions, deal with mechanical problems, and address emergencies related to the device.
- Installation of an IID must be completed within 14 days of a court order or curequest, whichever is later.
- IIDs must be repaired or recalibrated within three business days after service is requested.
- Vehicles must be inspected before installation to ensure they are in sufficient mechanical and electrical condition to allow the device to operate normally. Vehicles not in appropriate condition must be repaired at the offender's expense before the device is installed.
- Service providers must provide a certificate of installation or removal to the offender and the DMV within three working days. The offender must present a copy of this certificate as a condition of obtaining a driver's license.
- All IIDs must be scheduled for service at intervals not to exceed **60 days**.
- All data recorded in the device's memory must be retained in the offender's file.

Q: What data are reported to the county sheriff where the offender lives?

A: The service provider must notify the sheriff when:

- The IID is removed (within three working days).
- The offender fails to report for a required service appointment.
- There are any bypass, circumvention, tampering or violation resets (these are to be reported immediately)

Summary of drunk driving law changes (2010)
<http://www.dot.wisconsin.gov/drivers/drivers/enforce/owi.htm>

2009 Wisconsin Act 100 summary

Wisconsin Act 100 strengthens Wisconsin's drunk driving laws. Provisions of Act 100 apply to violations that occur on or after July 1, 2010. There are four main changes to existing law, including:

- A fourth offense Operating While Intoxicated (OWI) will be a felony if it occurs within five years of an earlier offense.
- Ignition interlocks devices (IIDs) will be required for repeat offenders and first-time offenders at or above a 0.15 blood alcohol level.
- A greater emphasis will be placed on treatment for drunk drivers, helping reduce repeat offenses.
- Increases first offense OWI to a misdemeanor if a child under 16 is in the vehicle.

Ignition interlock devices (IIDs)

- Ignition Interlock Devices (IIDs) will be **mandatory** for the following convictions:
 - ALL repeat OWIs
 - ALL refusals
 - ALL 1st offense OWI with an alcohol concentration of 0.15 or higher
- IIDs are required for **every vehicle owned by or registered to the offender**, unless the vehicle is specifically exempted by the court.
- IIDs must be ordered for a minimum of one year:
 - For operating privilege, restriction begins when offender is issued an occupational license or reinstates operating privilege (cannot "wait out" IID anymore).
 - For vehicles, courts may order the IID restriction to begin immediately.
- Failure to install, removal, disconnection, tampering or circumvention violations result in a six-month extension of IID.
- Establishes a Prohibitive Alcohol Concentration (PAC) of more than 0.02 for persons subject to an IID order for the duration of the IID order.
- [More information](#) regarding the installation of ignition interlock devices (IIDs) is also available at <http://www.dot.wisconsin.gov/statepatrol/services/chemtest.htm#installation>.


Impact on driver license revocation, reinstatement and occupational license

- The driver license revocation period is extended by the number of days to which a person is sentenced to jail or imprisonment. For example, if a 12 month license revocation is imposed, and 5 days in jail, a revocation of 370 days will result.
- The minimum waiting period for occupational license eligibility is reduced to 45 days, for 2nd / subsequent OWIs.
- If no occupational license is issued, proof of IID installation is required for all vehicles owned and registered, before DMV can reinstate the offender's driver license (cannot "wait out" IID).
- The reinstatement fee for alcohol related offenses increases from \$60 to \$200.

How to apply for an occupational license

<http://www.dot.wisconsin.gov/drivers/drivers/revoke/occ-apply.htm>

You can [check your occupational license eligibility online](#) to see if you are eligible for an occupational license if your license has been suspended or revoked. [Check your eligibility to reinstate your driving privilege.](#)

To apply for an occupational license, you will need to fill out form (MV3027) listing the counties or states in which you will be driving, the time(s) of day you will be driving, etc. You can download form MV3027 - [Occupational Operator License Application Instructions](#) . A link at the bottom of the instructions takes you to the form which must be filled out, printed and taken to a [DMV service center](#). Print two copies of form MV3027 (one for your records) and take one to a [DMV service center](#). DMV customer service centers accept cash or checks only.

Two hours are needed to process an application. Plan to arrive at the DMV service center at least two hours before the center is scheduled to close.

You need to do the following:

- Complete an application for occupational operator license Form MV3027. If you are under 18 years old, a [sponsor](#) signature is required.
- Complete necessary tests, including vision screening.
- Provide [proof of your identity](#), such as an ID with your picture on it or a document with your signature.
- [Provide documentary proof](#) that you are a U.S. citizen, lawful permanent or conditional resident or temporary visitor.
- Provide an SR22, [proof of insurance](#).
- If DMV does not show your license as revoked or suspended, provide a conviction status report or a photocopy of the front and back of a court-completed citation. You may contact the Driver Information Section to verify if this document is needed.
- Pay the nonrefundable [application fee](#). Filing an application and paying the fee does not guarantee issuance of an occupational license.
- If you have two or more OWI convictions and are revoked for OWI, prove you have completed an assessment and are participating in a driver safety plan.
- If the court has ordered you to install an ignition interlock device (IID), provide proof of installation for every vehicle titled or registered to you unless exempted by the court.
- If you have been revoked as an habitual traffic offender (HTO), the circuit court in your county of residence must approve the issuance of your occupational license.

Occupational licenses authorizing operation of commercial motor vehicles cannot be issued, as required by the Motor Carrier Safety Improvement Act of 1999.

After you apply for an occupational license

Staff at the DMV service center will review your driver record and application to determine if you are eligible for an occupational license. Staff at the DMV service center will immediately process most occupational applications.

If necessary, they will fax your application to the DMV Driver Information Section in Madison for a complete review of your driver record and application. There, a final determination is made on whether you are eligible for an occupational license. If you are not eligible, you will be notified the license will not be issued and why.

Depending upon the hours the [DMV service center](#) is open, you may receive your occupational license the same day. If it is near the service center's closing time or if they need to fax your application to the Driver Information Section, you may be asked to return the next day or the next time that DMV service center is open to have your photo occupational license issued. DMV customer service centers accept cash or checks only.

Approved Ignition Interlock Device (IID) installers

Consumer Safety Technology

(877) 777-5020

Draeger Safety Diagnostics

(800) 332-6858

National Interlock Service

(800) 584-1226

[More information](#) regarding the installation of ignition interlock devices (IIDs) is also available.

If you have questions:

- E-mail: driverinformation.dmv@dot.state.wi.us
- Call: (608) 266-2261

How to reinstate a driver's license or driving privilege (Wisconsin residents)

<http://www.dot.wisconsin.gov/drivers/drivers/revoke/suspend-revoke.htm>

Check your [eligibility to reinstate your Wisconsin driving privilege](#). To use this on-line system, you will need to enter the following:


- Whether or not you are currently a Wisconsin resident **AND**
- Your Wisconsin driver license number or Wisconsin driver identification number, **OR**
- Your Social Security number and date of birth, **OR**
- Your name, sex, and date of birth.

[File proof of insurance](#) (SR22) form with us, if required. [Check online](#) to determine if you are required to file proof of insurance, for how long you are required to file and whether or not we already have acceptable insurance on file. Contact an insurance company licensed to do business in Wisconsin for the insurance form. [Motor carrier insurance](#) may be furnished for commercial motor vehicle operation.

You do **not** need to file proof of insurance if your operating privilege was revoked for a first offense operating while intoxicated (OWI), for noncompliance with an alcohol assessment, interview or driver safety plan, or because you were arrested for OWI while involved in driver safety plan. If your operating privilege was suspended under the safety responsibility or damage judgment laws after April 9, 2001 you will also need to file [proof of insurance](#) (SR22 form) with the Department.

Contact an insurance company licensed to do business in Wisconsin for the insurance form. [Motor carrier insurance](#) may be furnished for commercial motor vehicle operation.

File proof of installation of an Ignition Interlock Device (IID) with us, if required. If you were ordered by the court to have an Ignition Interlock Device (IID) installed, provide proof of installation for every vehicle titled or registered to you, unless specific vehicles were exempted by the court. See [Alcohol and chemical testing](#) for more information about the IID installation process, costs, etc.

If you are obtaining your first Wisconsin driver license, your license has expired or you need a replacement license you will need to visit any [DMV Service Center](#), except Express Offices and complete form [MV3001](#)  (1.6 MB) - Wisconsin Driver License (DL)/Identification Card (ID) Application and:

- Provide [proof of identity](#).
- Provide [proof of name and date of birth](#) (not needed for a replacement license).
- [Provide documentary proof](#) that you are a U.S. citizen, lawful permanent or conditional resident or temporary visitor.
- Pay the [reinstatement fee](#) plus a renewal fee, if needed.
- Bring a parent or legal guardian to sign as a [sponsor for your license](#) if you are under 18.

Note: DMV customer service centers accept cash or checks only. Plan to arrive at least 90 minutes before the center is scheduled to close.

If you have a Wisconsin driver license in your possession, mail your reinstatement fee [payment](#) (check or money order) payable to Registration Fee Trust to the address below. Be sure to include your full name, date of birth, Wisconsin driver license number, social security number, and your current address:

Wisconsin Department of Transportation
Driver Information Section
4802 Sheboygan Avenue, Room 301
P.O. Box 7983
Madison, WI 53707-7983

After the suspension or revocation period is over, you can confirm that your fee has been received and your Wisconsin driving privilege is valid by calling (608) 264-7133 or [checking your status online](#). You will need your Social Security number and date of birth to access this information.

If you have questions:

- E-mail: driverinformation.dmv@dot.state.wi.us
- Call: (608) 266-2261