Approved: 3-4-98
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Lana Oleen at 11:10 a.m. on February 25, 1998, in Room 254-E of the Capitol.

All members were present.

Committee staff present: Mary Galligan, Legislative Research Department
Robin Kempf, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Midge Donohue, Committee Secretary

Conferees appearing before the committee:
Mr. Randy Allen, Executive Director, Kansas Association of Counties
Mr. Michael Hale, Attorney, Department of Revenue
Mr. Tuck Duncan, Kansas Wine and Spirits Wholesalers Association, Topeka
Mr. Richard Freund, President, LifeSaver Interlock, Inc., Cincinnati, Ohio

Others attending: See attached list.

Senator Oleen told the committee she received a request yesterday for introduction of a bill and recognized Mr. Randy Allen, Executive Director of the Kansas Association of Counties.

Mr. Allen asked that a bill be introduced to allow counties to levy taxes to build or repair roads, bridges or culverts with no dollar limitation and to authorize counties to issue general obligation bonds to construct, repair or reconstruct roads, bridges, or culverts, subject to the board of county commissioners providing notice (Attachment #1).

Senator Oleen explained that the request for introduction of the bill came to this committee because of the deadline and, if introduced, it would probably be assigned to another committee.

Senator Jones moved for introduction of the bill. Senator Biggs seconded the motion, and the motion carried.

Attention was then directed to **SB 564**, concerning qualifications for adjutant general.

Senator Becker moved to report the bill unfavorably to the full Senate. Senator Harrington seconded the motion. The motion carried.

The chair called attention to **SB 610**, concerning intoxicating liquors and beverages, recalling testimony on the issue of fortified wine and a verbal proposal on the alcohol content. She stated that the wine industry had indicated that 20% would be acceptable, even though federal law allowed 24%. Senator Oleen remarked that it might be well to consider an amendment setting out the range of alcohol content.

The chair recognized Michael Hale, Attorney for the Department of Revenue (DOR), who offered an amendment to **SB 610** that would allow the secretary or secretary's designee to either deny a person a liquor license or revoke or suspend the liquor license of any person who owes undisputed tax liabilities, (Attachment #2).

Mr. Hale explained that the intent of the proposal was to assure administratively that all taxes owed by a liquor licensee are timely and fully remitted to the state, and to provide the assurance that taxes ultimately destined to their local regions get to the local communities. He said language in the proposed amendment would afford the department the tool it needs to insure that licensees, as part of the local community in which they conduct business, will fulfill their obligation to pay, collect and remit taxes lawfully due for the benefit of the community. Mr. Hale mentioned that the proposal would also give the department the most effective vehicle for enforcement of tax statutes on Indian reservations.

Senator Biggs stated that, while he did not object to the language of the proposed amendment, he questioned why it was being attached to **SB 610**, saying he believed the amendment proposed by the Department of Revenue should be separate legislation.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

The chair responded that time was the factor in offering the amendment; that when the Department of Revenue raised the issue, several bills dealing with alcohol-related matters were already out of committee and, in the interest of time, she suggested that it could be attached to one of the bills still in committee. She told the committee her concern was for the bill to be moved forward and have enough time to be heard in the House.

Senator Jones asked for clarification on the reference to enforcement of tax statutes on Indian reservations, and Mr. Hale replied the intent was that everyone who holds a liquor license in Kansas be treated the same. Senator Oleen pointed out that the Indian Compact approved by the legislature clearly indicates the liquor laws of Kansas are to be followed.

Senator Oleen stated she recognized Senator Biggs' concern and directed attention to a proposed substitute bill for **SB 610** which staff had prepared in an effort to incorporate the issues raised at the time of the hearing on the bill.

Mr. Tuck Duncan, Kansas Wine and Spirits Wholesalers Association, Topeka, was recognized by the chair. He explained the reason the proposed substitute bill was drafted, and said it would also address the tax issue raised at the time the bill was heard. Mr. Duncan suggested establishing a ceiling or range which he said would not impact the tax structure.

Senator Oleen, noting committee interest in keeping the fortified wine issue as a separate bill, advised that options open to the committee would be to introduce the DOR proposal as a separate bill with a hearing scheduled for next Wednesday, or offer it as a floor amendment.

Senator Becker moved to amend language in the proposed substitute bill to define domestic wine as containing no less than 14% nor more than 20% alcohol by volume. Senator Vidricksen seconded the motion, and the motion carried.

Senator Vidricksen moved to report favorably to the full Senate the substitute bill as amended. Senator Jones seconded the motion. The motion carried.

Senator Becker moved to introduce the DOR proposal as a separate bill. Senator Jones seconded the motion, and the motion carried.

The chair announced that the committee would proceed with the hearing scheduled for today but, because of limited time, the hearing would be continued next Wednesday and Thursday, and the conferee from out-of-state would be given the opportunity to offer testimony today. She said time would be divided equally next week between the remaining conferees and apologized to them for the delay.

The hearing was opened on:

SB 651 An act concerning certain alcohol and drug-related offenses; relating to suspension and restriction of driving privileges; ignition interlock devices

Mr. Richard Freund, President of LifeSaver Interlock, Inc., appeared as a proponent of **SB 651** (Attachment #3) Mr. Freund told the committee ignition interlock devices are good public policy because they provide accountability for drunk driving offenders, as well as providing the state with verifiable data on offenders compliance with driver's license restrictions. The bill was introduced at the request of LifeSaver Interlock and Mr. Freund advised that it was crafted to target the use of the device with all high-risk offenders. He pointed out that a small percentage of the drinking population is the major cause of alcohol-related injuries and fatalities. He discussed high-risk offenders and why they should be targeted for the use of the ignition interlock device. Mr. Freund listed states having successful ignition interlock programs either through the courts or administration by the state. He noted Kansas' exceptionally progressive record in the battle against drunk driving and urged the committee to support **SB 561**.

Senator Oleen announced that, due to limited time today, the hearing on **SB 651** would be continued next week.

Senator Gooch moved for approval of the minutes of the February 23 meeting. Senator Becker seconded the motion. The motion carried.

The meeting adjourned at 12:01 p.m. The next meeting is scheduled for Wednesday, March 4.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

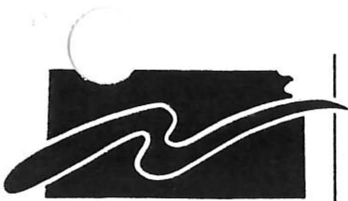
DATE: 2-25-98

NAME	REPRESENTING
John Reinhart	LifeSafer Interlock
Richard Freund	LifeSafer Interlock
STEVE KEARNEY	LIFESAFER INTERLOCK
Gene Johnson	Ks ASAP Coord. Assn
Randy Allen	Kansas Assoc. of Counties
Michelle Miller	Johnson County
Tim Madden	KDOC
Ann Etter	Olathe - LWV
Rose Maruyama	LWV
Michael Hale	Kansas Dept. of Revenue
S. Sicilian	KDOR
Gary CARTER	KDOR
Betty McBride	KDOR
James S. Keller	KDOR
Judy Moler	KAC
Kelly Kultala	City of Overland Park
Rosalie Thornburgh	KDOT
Nolen E. Downse	National Guard Assn of KS
Chuck Seeland	Adjutant Generals Office

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 2-25-98

NAME	REPRESENTING
Bill Watts	KDOT
David [illegible]	Attorney General
Mary Murphy	MAPJ
Ann Durkes	Div of Budget
Alan Moler	League of KS Mun.



KANSAS
ASSOCIATION OF
COUNTIES

REQUEST FOR BILL INTRODUCTION
for legislation concerning County roads and bridges
Presented to Senate Federal and State Affairs Committee
by Randy Allen, Kansas Association of Counties
February 25, 1998

One of the Kansas Association of Counties' primary 1998 legislative priorities is to provide additional tools for boards of county commissioners to address serious deficiencies in county roads and bridges.

We respectfully request introduction of a bill which would amend K.S.A. 68-1103. This statute **currently** allows counties to 1) levy taxes to build or repair bridges or culverts but only when the county's share of the cost is less than $250,000; and 2) issue bonds to build or repair bridges or culverts, but only if the cost per bridge does not exceed $250,000.

Our **proposed amendment** to K.S.A. 68-1103 would 1) allow counties to levy taxes to build or repair roads, bridges or culverts with no dollar limitation (except the limitations of the aggregate tax lid in counties where the lid is applicable); and 2) authorize counties to issue general obligation bonds to construct, repair, or reconstruct roads, bridges, or culverts, subject to the board of county commissioners providing notice.

Justification:

1) According to KDOT, counties are responsible for maintaining 19,928, or 76.5% of the state's 26,021 bridges. Of all bridges maintained by counties, 6,015 or 30.1% are either structurally deficient or functionally obsolete. Further, of the 7,374 bridges statewide deemed by KDOT to be either structurally deficient or functionally obsolete, 81.6% are the responsibility of counties. ***The inattention is not purposeful; rather, it reflects a lack of financial tools to address the problem.***

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2) A large, and in some cases, growing percentage of our population lives in areas outside the corporate limits of cities. The following counties describe this trend:.

County	Total Pop. Outside Cities	Total Population	% of Population Outside Cities
Butler	20,880	55,736	37.5
Jackson	6,601	11,634	56.7
Jefferson	10,174	16,822	60.4
Miami	11,683	24,722	47.3
Pottawatomie	7,861	17,407	45.2
Riley	26,709	73,119	36.5
Shawnee	40,930	165,122	24.8

More and more counties are developing, or are seeking to develop, multiple-year Capital Improvement Program (CIPs) to schedule orderly replacement and maintenance of roads and bridges. However, boards of county commissioners are precluded from taking advantage of the economies of scale which would likely result if a series of road/bridge projects were done at the same time.

3) Economic Development. A sound infrastructure is a pre-requisite for economic development. Counties, like cities, are responsible for the construction and maintenance of roads and bridges adequate to facilitate and sustain residential, commercial, and industrial development. The current statutory ceilings on the financing per bridge are archaic, and inconsistent with modern needs.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services and a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to the KAC by calling Randy Allen or Judy Moler at (785) 233-2271.

AN ACT relating to county roads; concerning certain construction and repair thereon; amending K.S.A. 68-1103 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Sec. 1. K.S.A. 68-1103 is hereby amended to read as follows: 68-1103. (a) Whenever the board of county commissioners of any county shall determine that it is necessary to build or repair any *road,* bridge or culvert, the ~~county's share of the cost of which shall be less than the sum of $250,000, the~~ board ~~shall~~ *may* appropriate an amount equal to its share and shall immediately make all contracts for labor, material and all other expense necessary for the construction or repair of such work in the manner provided by law or ~~shall~~ *may* make and let a contract for the construction or the repair thereof, but the amount appropriated shall not exceed the county engineer's estimated cost to the county for the work.

~~In any county having a population of more than 25,000 and containing two or more cities of the second class, the board of county commissioners shall determine the necessity of building or repairing any bridge or bridges, shall pass a resolution declaring that such a necessity exists and shall immediately build such bridge or bridges at a cost to be determined by the county engineer's estimate of not to exceed $100,000 per bridge and appropriate money therefor. The levy for such purpose shall not exceed two mills upon the assessed valuation of the county.~~

(b) In any ~~such~~ county ~~or counties~~ where there has been constructed prior to the passage of this act or shall be hereafter constructed any *road,* bridge or ~~bridges~~ *culverts* which shall have been destroyed or rendered impassable, or shall be hereafter destroyed or rendered impassable by flood, high water, fire or other casualty, or where there is any *road,* bridge or ~~bridges condemned~~ *culvert determined* by the board of county commissioners and the county engineer as unsafe ~~and~~ *or* inadequate to meet the demands of present day traffic *or where the board of county commissioners has made a determination under subsection (a),* then such board of county commissioners may immediately thereafter *construct,* repair ~~and~~ *or* reconstruct such *road,* bridge or ~~bridges~~ *culvert*; may adopt a resolution finding and determining a necessity for such *construction,* repair or reconstruction and may at once proceed to *construct,* repair or ~~rebuild~~ *reconstruct* the same at a cost to be determined by the county engineer's estimate ~~not exceeding $250,000 per bridge~~ and shall appropriate a sufficient amount of money therefor, or if there be not a sufficient amount of money therefor in the proper funds of the county, such board is hereby authorized and empowered to issue *general obligation* bonds ~~or warrants~~ of the county to pay the costs for the work herein provided for. Any bonds issued under the authority of ~~the foregoing provision of this section~~ *this subsection* shall not be subject to any limitation on the bonded indebtedness of the county. ~~In Jewell county, bonds also may be issued for the construction and repair of roads in accordance with the provisions of this subsection.~~

(c) Such board is hereby authorized and empowered to levy and collect taxes for the purpose herein named or for the purpose of retiring any ~~warrants~~ *bonds* that have been issued~~, which shall not exceed two mills upon the assessed valuation of the county~~.

~~(d) Under the provisions of this section those bridges which are situated across any stream on any county road are hereby declared to have a preference over the bridges on other roads and shall be repaired and reconstructed before any other bridges are repaired and reconstructed.~~

Sec. 2. K.S.A. 68-1103 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

ST[illegible] OF KANSAS
Bi[illegible]ves, Governor

Richard Oxandale, General Counsel
Kansas Department of Revenue
915 SW Harrison St.
Topeka, KS 66612-1588

DEPARTMENT OF REVE[illegible]
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Legal Services

MEMORANDUM

To:	Senator Lana Oleen, Chair and Committee on Federal State Affairs
From:	Michael Hale, Department of Revenue
Date:	2/25/98
Re:	Senate Bill 610

Due to concerns about the remittance of Kansas state and local taxes by liquor licensees, the department would propose that Senate Bill 610 be amended to allow the secretary or secretary's designee to either deny a person, as defined under the act, a liquor license or revoke or suspend the liquor license of any person that owes undisputed tax liabilities.

The proposed amendments would apply to any person holding a class A, class B, or caterer license or temporary permit holders. The legislation would make it a violation of the liquor act to fail to pay or collect and remit lawful taxes due the state of Kansas and applicable local taxes. The major taxes at issue are: state and local sales tax, employee withholding tax, income tax and transient guest taxes as well as liquor drink taxes.

The intent behind this proposal is to assure administratively that all taxes owed by a liquor licensee are timely and fully remitted to the state, and to provide to the taxpayers of Kansas the assurance that taxes ultimately destined to their local regions, in particular local sales, transient guest and liquor taxes, get to the local communities for their use. Moreover, enforcement of tax statutes on Indian reservations is problematic. This proposal would give the department the most effective vehicle to enforce the tax laws. Liquor and related business transactions are being sold in their locale, and the local communities need to know that taxes earmarked for use in their region will get to them, or the offenders' liquor licenses will be denied or revoked. The proposed amendment will afford the department the tool it needs to insure that licensees, as part of the local community in which they conduct business, will fulfill their obligation to pay, collect and remit taxes lawfully due for the benefit of the community.

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AN ACT relating to licensing and regulation of sale of liquor by the drink under the Intoxicating Liquors and Beverages Act, unlawful acts, revocation or suspension of license, grounds therefor; amending K.S.A. 1997 Supp. 41-2610, 41-2611 and 41-2623, and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1997 Supp. 41-2610 is hereby amended to read as follows: 41-2610. It shall be unlawful for any licensee or holder of a temporary permit under this act to:

(a) Employ any person under the age of 18 years in connection with the serving of alcoholic liquor.

(b) Employ knowingly or continue in employment any person in connection with the dispensing or serving of alcoholic liquor or the mixing of drinks containing alcoholic liquor who has been adjudged guilty of a felony or of any crime involving a morals charge in this or any other state, or of the United States.

(c) Employ knowingly or to continue in employment any person in connection with the dispensing or serving of alcoholic liquor or mixing of drinks containing alcoholic liquor who has been adjudged guilty of a violation of any intoxicating liquor law of this or any other state, or of the United States, during the two-year period immediately following such adjudging.

(d) In the case of a club, fail to maintain at the licensed premises a current list of all members and their residence addresses or refuse to allow the director, any of the director's authorized agents or any law enforcement officer to inspect such list.

(e) Purchase alcoholic liquor from any person except from a person authorized by law to sell such alcoholic liquor to such licensee or permit holder.

(f) Permit any employee of the licensee or permit holder who is under the age of 21 years to work on premises where alcoholic liquor is sold by such licensee or permit holder at any time when not under the on-premises supervision of either the licensee or permit holder, or an employee who is 21 years of age or over.

(g) Employ any person under 21 years of age in connection with the mixing or dispensing of drinks containing alcoholic liquor.

(h) Fail to file any tax return as prescribed by Chapter 12 or Chapter 79 of the Kansas Statutes Annotated, or to account for, pay over, collect or remit to the Kansas Department of Revenue any tax, penalty or interest determined by the secretary or secretary's designee to be due under Chapter 12 or Chapter 79 of the Kansas Statutes Annotated.

Section 2. K.S.A. 1997 Supp. 41-2611 is hereby amended to read as follows: 41-2611. The ~~director~~ *secretary or secretary's designee* may revoke or suspend any license issued pursuant to the club and drinking establishment act for any one or more of the following reasons:

(a) The licensee has fraudulently obtained the license by giving false information in the application therefor or any hearing thereon.

(b) The licensee has violated any of the provisions of this act or any rules or regulations adopted hereunder.

(c) The licensee has become ineligible to obtain a license or permit under this act.

(d) The licensee's manager or employee has been intoxicated while on duty.

(e) The licensee, or its manager or employee, has permitted any disorderly person to remain on premises where alcoholic liquor is sold by such licensee.

(f) There has been a violation of a provision of the laws of this state, or of the United States, pertaining to the sale of intoxicating or alcoholic liquors or cereal malt beverages, or any crime involving a morals charge, on premises where alcoholic liquor is sold by such licensee.

(g) The licensee, or its managing officers or any employee, has purchased and displayed, on premises where alcoholic liquor is sold by such licensee, a federal wagering occupational stamp issued by the United States treasury department.

(h) The licensee, or its managing officers or any employee, has purchased and displayed, on premises where alcoholic liquor is sold by such licensee, a federal coin operated gambling device stamp for the premises issued by the United States treasury department.

(i) The licensee holds a license as a class B club, drinking establishment or caterer and has been found guilty of a violation of article 10 of chapter 44 of the Kansas Statutes Annotated under a decision or order of the Kansas human rights commission which has become final or such licensee has been found guilty of a violation of K.S.A. 21-4003 and amendments thereto.

(j) *Failure of a licensee: (1) to file any tax return as prescribed by Chapter 12 or Chapter 79 of the Kansas Statutes Annotated; or, (2) to account for, pay over, collect or remit to the Kansas Department of Revenue any tax, penalty or interest determined by the secretary or secretary's designee to be due under Chapter 12 or Chapter 79 of the Kansas Statutes Annotated.*

Section 3. K.S.A. 1997 Supp. 41-2623 is hereby amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9) or (12) of K.S.A. 41-311 and amendments thereto, except that the provisions of subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization, or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) On and after January 1, 1988, a license for a class B club or drinking establishment may be granted to a person who has a beneficial interest in a microbrewery or farm winery licensed pursuant to the Kansas liquor control act.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311 and amendments thereto shall not apply in determining whether a beneficiary would be eligible for a license.

(10) *Any person who has: (A) failed to file any tax return as prescribed by Chapter 12 or Chapter 79 of the Kansas Statutes Annotated; or (B) failed to account for, pay over, collect or remit to the Kansas Department of Revenue any tax, penalty or interest determined by the secretary or secretary's designee to be due under Chapter 12 or Chapter 79 of the Kansas Statutes Annotated.*

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person described in subsection (a)(11) of K.S.A. 41-311 and amendments thereto.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.

(3) *Any person who has: (A) failed to file any tax return as prescribed by Chapter 12 or Chapter 79 of the Kansas Statutes Annotated; or (B) failed to account for, pay over, collect or remit to the Kansas Department of Revenue any tax, penalty or interest determined by the secretary or secretary's designee to be due under Chapter 12 or Chapter 79 of the Kansas Statutes Annotated*

New Section 4. *The secretary of revenue shall administer and enforce this act. The secretary of revenue shall adopt rules and regulations for the administration of this act.*

Section 5. K.S.A. 1997 Supp. 41-2610, 41-2611 and 41-2623 are hereby repealed.

Section 6. This act shall take effect and be in force from and after its publication in the statute book.

Testimony on S.B. 651
Senator Federal and State Affairs Committee
February 25, 1998
by Richard Freund
President of LifeSafer Interlock Inc.

Madam Chair, Members of the Committee:

My name is Richard Freund. I am president of LifeSafer Interlock, Inc., a manufacturer of ignition interlock devices based in Cincinnati, Ohio.

Yesterday, I had the pleasure of explaining how ignition interlock devices work. Today, I am here to explain why ignition interlock devices are finding widespread application in other states, why IIDs can be part of an effective tool in Kansas for reducing repeat offenses among drunk drivers and to seek your support for Senate Bill 651.

Ignition interlock devices are good public policy for two major reasons:

One, they provide accountability for drunk driving offenders.

Two, they provide the state with verifiable data on offenders compliance with drivers license restrictions.

Before exploring those points in greater detail, I would like to address the effects of S.B. 651 on Kansas law.

Here's what the bill does:

S.B. 651 was crafted to target the use of IIDs with all high-risk offenders. Studies have shown that this small percentage of the drinking population are a major cause of alcohol-related injuries and fatalities.

High-risk offenders include:

- motorists whose blood alcohol content is twice the legal limit.
- motorists who refuse breath test.
- all repeat offenders.
- convicted drunk drivers who drive under suspension.

The bill increases license suspension for these high-risk offenders. By the way, to put this into perspective—in four hours of drinking I would have to consume between 12 and 16 mixed drinks to achieve a blood alcohol content twice the legal limit in Kansas.

The bill grants the courts discretion to selectively order DMV to issue an interlock restricted license to high-risk offenders during the license suspension period imposed by state law.

However, DMV cannot issue a restricted license until a minimum hard suspension has been served. This hard suspension complies with federal alcohol-incentive grant criteria.

The bill also provides for the offender to bear the full cost of the ignition interlock program. This includes a $25 fee to recoup administrative costs incurred by the state and a $5 monthly fee to recover the costs of administrative oversight by the courts.

Finally, it imposes additional state regulations on interlock manufacturers. This includes establishing statewide service, a 24-hour toll-free telephone service and ensuring

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that the devices are properly inspected every 60 days with subsequent reporting to the state oversight authority.

Why should high-risk offenders be targeted for the use of IIDs?

- Studies have shown high-risk offenders flaunt the law. They are undeterred by traditional sanctions and continue to drink and drive whether licensed or not.
- Because high-risk offenders tend to be chronic abusers of alcohol, intervention strategies that combine IIDs with treatment and education programs represent are best opportunity to change drinking-and-driving behavior.
- Installation of an ignition interlock device demonstrates a willingness on the part of the offender to address the problem, provides a way for the state to verify the offender's compliance and puts a managed risk back on the road vs. an unmanaged risk.
- Advances in interlock technology and developments in delivery of services have demonstrated that these devices can be provided cost effectively to the offender, and at little or no cost to the state.

A rare randomly assigned study underwritten by the Insurance Institute for Highway Safety confirmed that IIDs are highly effective at reducing the rate of recidivism of even the worst multiple offenders. This study has been widely published and is accepted as valid by the major DWI/DUI research groups. One such group has called it a "Cadillac study."

In addition to their demonstrated effectiveness during installation, a preliminary study shows a significant decline in the rate of reoccurrence among IID users *five years after the devices had been removed* vs. non-users. This data is exciting to researchers because despite all of the focus on drunk driving and the sanctions that have been imposed there has been tremendous frustration with the inability to modify the hard-core drinking drivers' behavior. As a result of these findings, a major effort is now underway to study the combined benefits of IIDs and alcohol treatment as a condition of license reinstatement for all drunk driving offenders.

We are now starting to see significant support for the use of ignition interlock devices across the country.

The National Commission Against Drunk Driving recently issued sentencing guidelines for drunk drivers found to have a problem with alcohol that states intervention strategies should include technological innovations such as a closely monitored ignition interlock program.

National MADD has published a proactive position on ignition interlock, supporting their use as a mandatory condition of obtaining a restricted license for ***all*** offenders.

A survey by the federal Department of Transportation and the National Ad Council reveals that the public thinks drunk driving is still a major social issue as important as the needs of children and rated higher than crime and violence, education reform and the environment.

A public opinion survey conducted in the State of Wisconsin found that an overwhelming majority of respondents believe all repeat offenders should install an IID as a condition of license reinstatement. A substantial majority believe first

offenders with a high blood alcohol content should also have ignition interlock devices installed in their cars.

There are numerous successful ignition interlock programs now being implemented around the U.S. either through the courts or through administration by the state.

To name a few near Kansas:

- In Nebraska, mandatory installation of interlock ignition devices for restricted licenses for all offenders is under consideration,
- In Iowa, installation of an ignition interlock it is mandatory for first offenders to obtain a work permit and for the second year of suspension for repeat offenders. Approximately 2,000 interlock devices have been installed in this program administered by the state.
- In Oklahoma ignition interlock devices are mandatory for first offenders and some second offenders to obtain a work permit. Approximately 2,000 interlock devices have been installed.
- Ignition interlocks are mandatory in Colorado for early license reinstatement for all offenders. State law requires the IID to be used for twice the remaining suspension period.
- In Texas ignition interlocks are mandatory for second offenders to be released on bail and to obtain an occupational license if the court authorizes the issuance of one. There are more than 8,000 interlock devices installed in Texas and the number is growing.

Kansas has been exceptionally progressive in the battle against drunk driving. Strategies such as administrative license revocation, imposition of low blood alcohol limits, and mandatory alcohol assessment and treatment were implemented here long before other states even realized the value of these sanctions. Today, the missing component in the state's war on drunk driving is the technology represented by interlock ignition devices.

Ignition interlock devices provide accountability for drunk driving offenders and gives the state verifiable data regarding an offender's compliance with drivers license restrictions. Kansas cannot afford to ignore this valuable tool. I hope you will support S.B. 651.

In NOV. 1997, The US. Department of Transportation and the AD/Council Conducted a survey ranking social issues in Order of importance as follows:

- Drunk driving 50%
- The needs of children 50%
- The environment 31%
- Education reform, 38%
- Drug and alcohol abuse 44%
- Crime and Violence 46%

In SEPT. 1997, Chamberlain Research Consultants conducted a random survey in Wisconsin on people's attitudes towards mandatory use of IID's:

- 86% of respondents felt repeat offenders should be required to use IID. Of those, 85% felt for at least one year as a mandatory condition of the reinstatement of their license or restriction to their driver's license.

- 66% of respondents felt first offenders with a BAC> 15% should be required to have IID. Of those 71% felt the use should be for one year or less as a restriction to their driver's license.

According to studies and evaluations conducted or published by NHTSA:

- 80% of all DUI offenders continue to drive while under suspension or revocation, one study found that 32% of repeat offenders have accidents or receive violations while suspended

- A person with a BAC of >15% is 300-600 times More likely to be in a crash than a 0% BAC,

- 65% of all alcohol related crashes and fatalities involve a BAC in excess of .15%,

- In 1997, the University of Maryland published a random assignment study underwritten by the Insurance Institute for Highway Safety showing a 65% rate of reduction in recidivism for repeat offenders assigned IID, and a 91% reduction for those that actually installed the device.

- Over 30,000 IID's are installed in the US. 75% are repeat offenders and 25% are 1st offenders.

NATIONAL M.A.D.D. POSITION STATEMENT ON IID. (July 1997)

MADD support the use of ignition interlock devices As an additional penalty and sanction for drunk driving offender. The use of such devices should be in addition to normal sanctions such as fines, license sanctions and jail sentences. MADD supports Laws that would require that offenders install these devices on their vehicles during probationary periods and as a prerequisite to being issued a limited driving permit or a probationary or restricted license, where such restricted permits are permitted by law.

NCADD (National Commission Against Drunk Driving) Recommended DWI (DUI) Sentencing Process. (DEC. 1997)

ANYONE CONVICTED OF DWI (DUI) SHOULD UNDERGO A FORMAL ASSESSMENT FOR ALCOHOL ABUSE BEFORE SENTENCING. IF FOUND TO HAVE A PROBLEM WITH ALCOHOL, MULTIPLE STRATEGIES SHOULD BE CONSIDERED AND APPLIED TO PREVENT FURTHER DWI (DUI) THESE STRATEGIES SHOULD INCLUDE TREATMENT, LEGAL SANCTIONS AND TECHNOLOGICAL INNOVATIONS SUCH AS A CLOSELY MONITORED IGNITION INTERLOCK PROGRAM.

ENHANCED PENALTIES (e.g. vehicle impoundment, license Plate confiscation, etc.) ARE RECOMMENDED FOR ANYONE NOT ADHERING TO THIS PROCESS OR NOT SUCCESSFULLY COMPLETING THE ASSIGNED TREATMENT FOR HIS OR HER ALCOHOL PROGRAM.

STATE LEGISLATIVE

September 1997

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U.S. Department of Transportation
National Highway Traffic Safety Administration

NHTSA
People Saving People
http://www.nhtsa.dot.gov

Vehicle and License Plate Sanctions

Revoking or suspending a motorist's operators license is now a common penalty for many traffic infractions, especially those related to impaired driving. Unfortunately, many of these offenders continue to drive. It is not unusual for suspended drivers to receive additional traffic citations or be involved in crashes during periods of license suspension. As a way of reducing this problem, many states have passed laws that directly affect the offender's vehicle or license plates as a sanction for the impaired driving offense or for driving with a suspended license.

Some states now permit the *vehicles* of drivers convicted of certain impaired driving offenses to be impounded, immobilized (club or boot), or forfeited and sold. Other states allow the license *plates* to be removed and impounded. Still others allow for the use of specially marked license plates, and others allow for the installment of alcohol ignition interlock devices.

Key Facts

- In 1995, 1.44 million people were arrested in the U.S. for driving under the influence (DUI) or driving while intoxicated (DWI), more than all other reported criminal offenses except larceny and theft.
- About one third of all drivers arrested or convicted of DWI each year are repeat DWI offenders.
- Drivers with prior DWI convictions are also overrepresented in fatal crashes and have a greater relative risk of fatal crash involvement.
- Many second and third time convicted DWI offenders who had their license suspended accumulated traffic offenses or crashes during the suspension period. In one study, 32 percent of suspended second time DWI offenders, and 61 percent of third time offenders, received violations or crashes on their driving record during their suspensions.
- Many drivers do not reinstate their license *even when eligible to do so*. In one study involving first time DWI offenders who had their licenses suspended for 90 days, 50 percent had not reinstated their licenses three years after they were eligible to be relicensed. Also, many of these offenders drive without auto insurance and do not attend treatment programs where such programs are a prerequisite for reinstatement.

Legislative Status

Thirty-five states have laws that can affect the vehicles or vehicle plates of offenders.

- **Vehicle Impoundment:** Overnight impoundment of the vehicle of an individual arrested for impaired driving is a typical practice in most states. Several states have laws which permit longer term impoundments for certain offenses, usually for repeat DWI offenses or for Driving While Suspended (DWS) where the original offense was related to a DWI infraction. States which impound vehicles for these types of offenses include California, Delaware, Florida, Illinois, Iowa, Michigan, Missouri, Montana, Nebraska, Ohio, Oregon, and Wisconsin.

Legislative Status (continued)

- **Suspension of Vehicle Registration:** In 18 states the vehicle registration is withdrawn upon conviction of a DWI offense or a DWS offense where the original licensing action can be related to a DWI offense. States which can withdraw vehicle registrations for a DWI or DWS offense are Arizona, Arkansas, Delaware, Indiana, Kansas, Maine, Maryland, Michigan, Minnesota, New Hampshire, New York, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Virginia, and Wyoming. Some of these states have their own enforcement departments that send out investigators to pick up the license plates of these offenders. However, in general, the vehicle license plate suspension provisions are poorly enforced.
- **Vehicle Confiscation:** Twenty-one states permit the vehicle of multiple DWI or DWS offenders to be confiscated or sold, where the original licensing action can be related to a DWI offense. These states are Alaska, Alabama, Arizona, Arkansas, California, Georgia, Maine, Minnesota, Missouri, Montana, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Washington, and Wisconsin.
- **Vehicle Immobilization:** One way courts can prevent a DWI or DWS offender from using his or her car is to immobilize the steering wheel (by using a "club") or lock a wheel (the boot). Currently, only Ohio uses this type of sanction.
- **Special License Plates or Plate Markings**: A few states (Iowa, Minnesota, and Ohio) issue special license plates in order to permit the use of the vehicle by family members of convicted DWI offenders. Two states (Oregon and Washington) enacted laws which permitted officers to affix a zebra sticker over the annual year portion of the license plates of offenders.
- **Ignition Interlock:** The purpose of an ignition interlock is to prevent a person who has consumed alcohol from operating a vehicle. The device measures alcohol concentration in the breath and is attached to a vehicle's ignition system. Before the car can be started, a driver must blow a sample of his or her breath into the interlock device. If the driver's breath alcohol is below a specified concentration, the driver will be able to start the vehicle's engine. However, if the driver has a breath alcohol concentration above the established level, the vehicle cannot be started. Thirty-five (35) states have laws providing for either the [illegible]tionary or mandatory use of ignition interlock devices for repeat and chronic DWI offenders. The ignition interlock is discretionary in 32 states: Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Missouri, Montana, Nebraska, Nevada, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin. In three states-California, Oregon, and Texas-the law is mandatory under special circumstances. In some jurisdictions, interlocks may also be used for first offenders.

Recommendations for Strengthening and Increasing the Use of Vehicle and Vehicle Plate Sanctions

Contacts with state and local officials, members of the judiciary, and police officers suggest that while impoundment and forfeiture legislation is common, application of these laws is rare. The reasons cited include: (1) these laws are generally reserved for the relatively few multiple DWI offenders rather than the more numerous first offenders; (2) there are difficulties in dealing with non-offender owners; (3) it is costly to store junk vehicles that are not reclaimed by their owners; and (4) judges are reluctant to punish innocent family members.

Yet some states have developed innovative ways for dealing with these problems. Minnesota experienced a twelvefold increase in the use of its license plate impoundment law when they switched from court-based to administrative enforcement of the impoundment law.

The following recommendations may help state legislators and local officials revise existing legislation or enact new legislation to increase the use and effectiveness of their laws.

- Pass legislation that provides for administrative impoundment of plates and civil forfeiture of vehicles. In general, try to avoid criminal laws providing for forfeiture, since courts rarely use them.
- Enact legislation that allows for seizure at the time of arrest if officers impound either the vehicle or plate. It is more difficult and costly to track down the offender's vehicle later and the delay gives the offender the opportunity to transfer vehicle ownership.

Re... mendations for Strengthening and Increasing the Use of Vehicle and Vehicle Plate Sanctions (continued)

- Pass legislation that makes it unlawful for the owner of a motor vehicle to knowingly allow another person to drive the vehicle unless the owner determines the person possesses a valid driver's license. Also, require non-offender owners to sign an affidavit stating they will not allow the offender to drive the vehicle again while the suspension is in effect.
- Establish a computerized state record keeping system to document vehicle [impoundment and forfeiture] and license plate actions. This allows states to monitor use of the sanctions.
- Apply impoundment laws to all repeat DWI offenders and to all DWS offenders where the original infraction was for a DWI offense. This will encourage an increase in the use of impoundment since many courts do not apply this sanction to second-time DWI offenders or to first time DWS offenders.
- Where the law provides for special license plates (e.g., family plates or license plate sticker laws) incorporate a provision that permits officers to stop the vehicle for the sole purpose of checking whether the driver is operating the vehicle while their license is under suspension.

Research and Evaluation Regarding the Effects of Vehicle and Plate Sanctions

- **Maryland ignition interlock program lowered the re-arrest rate for repeat alcohol offenders:** A Maryland study involving 1,380 repeat alcohol offenders randomly assigned participants to either an ignition interlock group or a control group that did not receive the sanction. Alcohol-related traffic rearrest rates were tabulated for a full year. They showed that only 2.4 percent of the interlock group was rearrested, whereas 6.7 percent of the control group was rearrested, a statistically significant difference indicating that the interlock program reduced the risk of an alcohol traffic violation within the first year by about 65 percent. Additional analyses of post-interlock recidivism are being examined. Additional research on ignition interlocks is being conducted in Illinois and Alberta (Canada). NHTSA also plans to initiate another evaluation in 1997.
- **Minnesota License Plate Impoundment Study:** In Minnesota, violators incurring three DWI violations in five years, or four or more in ten years, can have their license plates impounded and destroyed. An evaluation of the effects of the law found a significant decrease in recidivism for violators who had their plates impounded versus violators who did not. Violators whose license plates were impounded by the arresting officer at the time of arrest showed a 50 percent decrease in recidivism over a two year period (when compared with DWI violators who did not experience impoundment).
- **Ohio Impoundment and Immobilization Program:** In Franklin County (Columbus), Ohio, researchers are conducting a field test to study the deterrent effects that a combined impound-ment and immobilization sanctions program has on crashes and violations for multiple DUI (Driving Under the Influence) and suspended license offenders. From September 1993 to September 1995, the vehicles of nearly 1,000 offenders were impounded and then immobilized. The recidivism rates of these offenders are being compared to eligible offenders who did not receive a vehicle sanction. So far, those offenders whose vehicles were impounded and immobilized had lower rates of recidivism both during and after the termination of the sanction than did those eligible offenders who managed to avoid the impoundment and immobilization sanctions. The project will also provide information on methods and procedures for implementing such a program, the types of problems that may be experienced, and recommendations for dealing with them.
- **California Impoundment and Forfeiture Program:** NHTSA, in conjunction with the State Department of Motor Vehicles, is conducting a three year effort to study the impact of California's new vehicle impoundment and forfeiture laws as applied to unlicensed and suspended license offenders. The innovative 30-day impoundment law is not typical of those found in most states but involves a civil action independent of a criminal DWS conviction for those caught driving without a license. Preliminary findings indicate that during 1995, more than 100,000 vehicles were impounded but only 246 were seized and processed for forfeiture under the new laws. Currently, data are being collected from contacts with police departments, and from surveys of young drivers and suspended (or revoked) licensed offenders. Additionally, the driving records of motorists who were caught and convicted of DWS will be analyzed to determine the impact of these laws.

Research and Evaluation Regarding the Effects of Vehicle and Plate Sanctions
(continued)

- **North Carolina Alcohol Ignition Interlock Program:** A study was conducted to determine the effectiveness of an interlock program in reducing recidivism among second-time DWI offenders. In North Carolina, these offenders are eligible to petition for a conditional license that is valid for the last two years of the four year revocation period. Assignment of petitioners to the interlock program was based on completion of the petition and the decision of a hearing officer. The findings suggested that as compared to those receiving a full four year hard license suspension, or those given the conditional license without an interlock, offenders receiving the interlock had a reduced rate of recidivism while the interlock was installed. However, when the interlock was removed and a valid license obtained, the recidivism rate of these drivers rose substantially.

  The findings from the North Carolina study support those of a research study conducted in Hamilton County (Cincinnati), Ohio. In that study an interlock program also was found to reduce recidivism while the interlock was installed on the vehicles of multiple DWI offenders, but once removed the benefits did not continue (as compared to a license suspension group). Both studies suggest that, at least for multiple DWI offenders, long-term drinking and driving behavior patterns are not impacted.

- **Zebra Tag Program in Oregon and Washington State:** In Oregon, suspended license offenders whose vehicle plates were "Zebra Tagged" had fewer subsequent DWI and DWS violations than suspended offenders who did not receive the special tags. Also, among suspended license offenders, the possibility of receiving a zebra tag if caught again appears to reduce subsequent violations and crashes. A similar law in Washington State did not affect subsequent violations or crashes for these types of offenders; however, it was not applied to nearly as many drivers and vehicles and it was not as strongly enforced by the police. (It should be noted that legislators in both states allowed the zebra tag law to expire.)

Information Sources

Beck, Kenneth H., et al., "The Effects of Alcohol Ignition Interlock License Restrictions on Multiple Alcohol Offenders: A Randomized Trial in Maryland." Paper presented at the 14th International Conference on Alcohol, Drugs and Traffic Safety, Annecy, France. Sept., 1997.

A Guide to Sentencing DUI Offenders, NHTSA and NIAAA, DOT HS 808 365, March 1996.

Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDS) Federal Register Notice, Volume 57, No. 67, Tuesday, April 7, 1992 (11772-11786).

Assessment of Impoundment and Forfeiture Laws for Drivers Convicted of DUI, Phase II Report: Evaluation of Oregon and Washington Vehicle Plate Zebra Sticker Laws, DOT HS 808 136, Final Report, April 1994.

Rogers, A. Effect of Minnesota's License Plate Impoundment Law on Recidivism of Multiple DWI Violators, Alcohol, Drugs and Driving, Volume 10, Number 2, 1994.

In Vehicle BAC Test Devices as a Deterrent to DUI, unpublished NIAAA Final Report, January 1993.

Assessment of Impoundment and Forfeiture Laws for Drivers Convicted of DWI: Phase I Report: Review of State Laws and Their Application, DOT HS 807 870, Final Report, June, 1992.

Popkin, C. et al, An Evaluation of the Effectiveness of Sanctions for DWI in Preventing Recidivism in North Carolina, UNC HSRC, Raleigh, NC, September 30, 1992.

Alcohol Ignition Interlock Service Support, DOT HS 807 923, Final Report, December, 1992.

These reports and additional information are available through your State Office of Highway Safety, the NHTSA Regional Office serving your state, or from NHTSA Headquarters, Traffic Safety Programs, NTS-30, 400 Seventh Street, S.W., Washington, D.C. 20590, 202-366-1739.

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FOR IMMEDIATE RELEASE
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Ignition Interlock Program Lowers Re-arrest Rate in Repeat Alcohol Offenders

COLLEGE PARK, MD -- Ignition interlock programs do lower re-arrest rates among habitual drunk drivers, a new study shows. Such programs require repeat offenders to equip their vehicles with an alcohol breath-analyzed ignition interlock device that prevents them from starting the car if they have been drinking. Results of the landmark study were released today at a news conference in Baltimore hosted by the University of Maryland at College Park.

Primary investigators of the joint study were Dr. Kenneth Beck, professor in the Health Education department at the University of Maryland at College Park; Dr. William Rauch of WESTAT Corp., Rockville, Md.; and Dr. Elizabeth Baker of the Maryland State Highway Administration. The Insurance Institute for Highway Safety participated in and provided funding for the study, while the Motor Vehicle Administration supplied and monitored the subjects.

More than 1,380 repeat alcohol offenders with suspended or revoked licenses in the state of Maryland who were eligible for license reinstatement after undergoing a variety of treatment programs were assigned randomly to either an experimental ignition interlock program or to a control group. Participants in the interlock program were issued a restricted license that allowed them to operate a vehicle only if it was equipped with an ignition interlock. If they did not own a car, they were required to sign a waiver that they would not drive a car unless it was so equipped.

The alcohol-related traffic arrest rate of each group was compared for one year following program assignment, showing that the alcohol traffic violation arrest rate was significantly lower for participants in the interlock program. Seventeen of the 698 members (2.4 percent) of the interlock group and 46 of the 689 members (6.7 percent) of the control group committed alcohol traffic violations during the year. "This was a significant statistical difference and indicated that being in an interlock program reduced the risk of an alcohol traffic violation within the first year by about 65 percent," says Beck of the University of Maryland.

-more-

Other programs for repeat offenders such as mandatory incarceration or vehicle impoundment are helpful but have drawbacks, Beck says. In addition, many repeat alcohol offenders continue to drive even with suspended or revoked licenses.

Alcohol breath-analyzed ignition interlocks represent a countermeasure that has not been investigated systematically or scientifically for its potential impact on preventing drunk driving recidivism -- until now. Previous evaluation studies of interlocks reported positive effects, but the lack of random assignment in the investigations made the evidence inconclusive, says Beck.

This investigation included several features that sets it apart from previous ones, says Rauch of WESTAT, including:

- the study was limited to multiple alcohol offenders -- those drivers who committed two or more alcohol-related traffic offenses in the past five years, or three or more offenses in the last 10 years;
- a random assignment procedure was used to determine entry of offenders into the interlock or control group;
- these programs were monitored and enforced by the Medical Advisory Board of the state's Motor Vehicle Administration rather than the courts;
- members of the experimental group had a restriction on their driver's licenses indicating they could only drive a vehicle equipped with an ignition interlock; and
- both experimental and control group members were closely monitored to ensure compliance with the terms of their license restrictions.

"Studies based on random assignment have been needed to provide definitive evidence about the effect of interlock programs, but such studies are extremely rare," says Allan Williams, senior vice president for the Insurance Institute for Highway Safety. "This remarkable opportunity provided by the Maryland Motor Vehicle Administration has made a significant contribution to the effort to combat alcohol-impaired driving."

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The Effects of Alcohol Ignition Interlock License Restrictions on Multiple Alcohol Offenders: A Randomized Trial in Maryland

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Abstract

An investigation of the effects of an alcohol ignition interlock program was performed in Maryland. More than 1,380 multiple alcohol offenders whose driver's license was either suspended or revoked for multiple alcohol offenses and who were eligible for license reinstatement after undergoing a variety of treatment programs were randomly assigned to participate in the usual post licensure treatment program (control group) or to an experimental ignition interlock program. Participants in the interlock program were given an alcohol restriction on their driver's licenses indicating they could only drive a vehicle equipped with an ignition interlock. If they owned a car, they were required to have the device installed within 45 days for a period of one year, or if they did not own one they had to sign a waiver that they would not drive a car unless it was so equipped. The alcohol-related traffic arrest rate of these two groups was compared for one year following program assignment. The alcohol traffic violation arrest rate was significantly lower for participants in the interlock program compared to participants in the control program. The implications of these findings are discussed in terms of their significance for operating an effective administrative ignition interlock program.

Introduction

More than 41,000 people in the United States were killed and over 3 million people were injured in motor vehicle traffic crashes in 1995. Alcohol is estimated to be a factor in approximately 41 percent of these fatalities (over 17,000) and 7 percent of all traffic crashes (National Highway Traffic Safety Administration [NHTSA], 1996). Despite evidence of a recent fatality rate increase among certain age groups (e.g., 25-44), there has been a ten year decline in overall fatality rates for alcohol-intoxicated drivers (NHTSA, 1996). Reasons cited for this ten year drop include the enactment of state laws raising the legal drinking age to 21; zero tolerance laws for blood alcohol concentration (BAC) in youthful drivers; lowering the permissible BAC limit for defining a driving while intoxicated (DWI) offense to .08 percent, and administrative license revocation laws (Hingson, 1996; Hingson, Heeren, & Winter, 1996).

While such laws may be effective in preventing most of the population from drinking and driving, there has been relatively little success in preventing alcohol impaired driving among a more recalcitrant population (i.e., the repeat drinking driver). Programs that require mandatory incarceration, vehicle impoundment, and license revocation for these repeat offenders hold some

promise. However, incarceration and impoundment programs are costly and are often difficult to impose because of under-enforcement and judicial prerogative. For example, some judges may be lenient and/or unwilling to order incarceration for the defendant and/or order vehicle impoundment in a drunk driving offense. Vehicle impoundment programs may affect people other than the alcohol offender (e.g., a spouse or other family members who need access to that car). Of the current approaches, license revocation appears to hold the greatest potential for reducing recidivism. However, such an approach may be of limited effectiveness with multiple alcohol offenders, many of whom continue to drive with a suspended or revoked license (Ross & Gonzales, 1988; Wiliszowski, Murphy, Jones & Lacey, 1996). In addition, those programs do not address the needs of those who have gained control over their drinking and would like to apply for a license after suspension or revocation.

Alcohol breath-analyzed ignition interlocks represent a countermeasure that has not been systematically investigated for its potential impact on preventing drunk driving recidivism. In contrast to other countermeasures, which have focused more on traditional deterrence-based strategies (e.g., police crackdowns, sobriety checkpoints, fines, incarceration), ignition interlocks bypass disincentives that are presumed to motivate the alcohol-intoxicated driver. In theory, interlock devices prevent an intoxicated individual from starting a motor vehicle. They are an automated system, designed to control the intersecting risk behaviors in question (drinking and driving) rather than either behavior separately.

To date, ignition interlocks have not been adequately evaluated in scientific studies. Support for interlocks has come largely from exaggerated claims from interlock providers, from attitude surveys and from reviews of methodologically limited studies (e.g., Linnell & Mook, 1991). Prior evaluation studies of interlocks (e.g., EMT Group, 1990; Jones & Wood, 1989; Morse & Elliot, 1990, 1992; and Popkin, Stewart, Martell & Birckmayer, 1992) report positive effects. However, the lack of random assignment in these investigations makes the evidence inconclusive. Until now, there has been no firm scientific evidence to conclude that ignition interlock programs are effective in preventing alcohol recidivism.

The purpose of this investigation was to test the effectiveness of an ignition interlock program at preventing DWI recidivism in a group of multiple alcohol offenders. In contrast to previous studies, this investigation included five features that set it apart from previous investigations. First, the study was limited to multiple alcohol offenders, defined as those drivers who had been convicted of two or more prior alcohol related traffic offenses in the past five years, or three or more such offenses in the past ten years. Second, a random assignment procedure was used to determine entry of offenders into the experimental (interlock) program or control (customary treatment) program. Third, these programs were administered by the state licensing agency (Motor Vehicle Administration) rather than the courts. This ensured greater

consistency of case handling for licensing restriction, and allowed monitoring and enforcement of compliance with these licensing restrictions. Fourth, members of the experimental treatment group had a restriction placed on their driver's licenses indicating they could only drive a vehicle equipped with an ignition interlock. Fifth, the experimental group members had 45 days in which to have an interlock installed on their vehicles or face suspension for failure to comply. The Motor Vehicle Administration closely monitored compliance with this requirement. The interlock assignment was for a period of one year from date of notification. Ultimately, offenders will be monitored for two years, permitting treatment effects to be assessed while interlock devices are installed (first year), and after they are removed (second year). The purpose of this paper is to report the first year findings. This investigation evaluated the effectiveness of an administratively operated interlock program and not the efficacy of ignition interlocks per se.

Method

Multiple alcohol traffic offenders who lost their driving privileges through revocation or suspension and were subsequently approved and recommended for relicensure by the state's Medical Advisory Board (MAB) comprised the sample of eligible participants for this investigation. The MAB is a group of physicians who evaluate motorists requesting license reinstatement with regard to certain physical or mental disabilities. Its function is advisory and the final decision to license a suspended or revocated driver rests with the Motor Vehicle Administration which can also impose additional licensing restrictions. Only those alcohol offenders who petitioned and were recommended for relicensure by the MAB and approved by the MVA were tracked for this study. As a condition for recommending relicensure, all offenders had to demonstrate to the MAB's satisfaction that they were complying with prescribed treatments and judged to be recovered sufficiently for reinstatement of their driving privileges.

After receiving the recommendations from the MAB, each offender was randomly assigned to the interlock program or control program. Those offenders assigned to the interlock program were notified by letter that they were approved for license reinstatement on condition that they agree to a license restriction prohibiting them from operating a vehicle without an interlock device. They had 45 days to have an interlock installed. Those individuals who did not own a car but still requested a license were asked to sign a waiver stipulating that they would not own or operate a car unless it was equipped with an interlock. A special driving restriction was noted on each driver's license, allowing a police officer to recognize the nature of their driving restriction. Offenders in the interlock program were also informed of additional or ongoing treatment/support programs (e.g., AA) in which they were required to participate. Initially, only one type of ignition interlock was certified in Maryland and available for installation - the Guardian Model # 2.2a. During the study period, a second type became certified - the Lifesafer

Model SC 100. Ultimately, offenders chose the type of unit to install, and could change types after initial installation.

Offenders assigned to the control program were notified by letter that they must comply with the terms and restrictions customarily offered to multiple alcohol offenders, including an alcohol restricted license. Most often, these restrictions required mandatory participation in Maryland's Drinking Driving Monitoring Program (DDMP). Participants in this program report regularly to a court approved probation monitor who determines if the person is complying with treatment programs (i.e., AA or other self-help groups) and if the person is still drinking and/or taking drugs. Failure to report to the monitor or failure to comply with any of the terms of a treatment program resulted in an emergency suspension of driving privileges.

After initial notification, offenders in both programs could document compliance by signing and returning a letter confirming acceptance of assigned restrictions. Those who did not comply with an assigned restriction were classified as failing to comply (FTC). Some offenders initially accepted the terms of their driving license reinstatement, some initially failed to comply but eventually complied, some never complied and remain classified as FTC, and some elected not to become licensed and declined to follow through with the procedures necessary to become relicensed. In effect, these people withdrew their request to be relicensed.

Each case was tracked by the Motor Vehicle Administration. Researchers were permitted access to driver records after all personal identifying information had been deleted by MVA staff. A total of 1,387 offenders were assigned to this study. Of this total, 698 were randomly assigned to the interlock program and 689 to the control program. Twelve people (7 interlocks and 5 controls) moved out of state during this investigation. Their out of state driving records were obtained and examined for subsequent alcohol violations. The principal dependent measure was whether the offender was arrested for an alcohol-related traffic offense during the first year after entering the study (defined as 365 days after notification), the period during which an interlock was to be on their vehicle.

Results

Demographic Characteristics

The driving records and case files were examined and relevant demographic and driving history information was abstracted. The sample was predominantly white (84.2%), male (89.9%), in their mid 30's (median age = 33), who possessed a high school level of education or less (80.5%), were single, separated or divorced (71.4%), and earned less than $25,000 per year (74.7%). No statistically significant differences were found between the interlock and control group on any of these measures. The interlock (mean = 3.57, SD = 1.43) and the control group (mean = 3.61, SD = 1.33) also did not differ on the number of prior alcohol traffic violations. In both groups, the number of alcohol violations ranged from 2 - 11.

Program Acceptance

There was no significant difference in the percentage of interlock (81.3%) and control cases (87.2%) who became licensed within one year, or who accepted treatment (interlocks, 85.6%; controls, 88.9%). Within the interlock group, 396 (56.7%) had the device installed, 158 (22.6%) signed a waiver and never had an interlock installed, and an additional 46 (6.6%) signed a waiver for part of their restriction period but had an interlock installed for the remainder. The remaining 98 cases (14.0%) were in the failure to comply group.

Alcohol Traffic Violations

One year after assignment, 17 of the 698 multiple alcohol offenders in the interlock group (2.4%), and 46 of the 689 multiple alcohol offenders in the control group (6.7%) had committed an alcohol traffic violation. This was a statistically significant difference, OR = .35, 95% CI (0.192, 0.63), and indicated that being in an interlock program reduced the risk of an alcohol traffic violation within the first year by about 65%. Of the 17 interlock recidivists, 10 had an interlock installed, 2 signed a waiver and 5 were in the failure to comply group. Of the 46 control recidivists, 39 accepted the conditions of their program (signed a compliance form) and 7 were in the failure to comply group. Eleven of the interlock recidivists and 33 of the control recidivists were licensed at the time of the alcohol traffic violation.

Discussion

The results of this evaluation show that an administrative interlock program can significantly reduce alcohol traffic recidivism - at least during the first year when the restriction is in effect. The relatively high program acceptance rates for both interlock and control groups (85-89%) indicate that the administrative elements for monitoring and enforcing were operational in both groups. Further, there was no evidence that the interlock group had a significantly lower rate of relicensure. Thus the reduction in recidivism cannot be said to be due to a differential degree of relicensure or administrative monitoring.

Ignition interlocks are not a foolproof system for preventing drunk driving. They do not prevent a driver from operating a non-interlocked vehicle, and there is some evidence that they can be circumvented. We found little evidence of successful circumvention in our investigation. Newer models with technological improvements may reduce this possibility even further.

This program dealt with multiple offenders who had received treatment and successfully passed a medical evaluation concerning their license eligibility. Different effects may be expected when this program is applied to different populations in different settings. An interlock program may work best when it is incorporated into an existing treatment process, incorporating careful case selection and subsequent monitoring. There is no evidence from the present study to suggest that interlocks or interlock programs could or should operate as a stand alone treatment approach for multiple alcohol traffic violators.

Finally, these results should be seen as preliminary because we do not yet have sufficient data concerning the second year experience. After one year, interlocks could be removed, and many of the participants had them removed. Popkin et al. (1992) suggest that interlock programs may work to suppress recidivism only while the restriction is in effect. Thus, for certain chronic populations (i.e., multiple alcohol offenders) interlock restrictions may have to be maintained indefinitely. Further study is needed to address this issue.

References

EMT Group, Inc. (1990). Evaluation of the California ignition interlock pilot program for DUI offenders. Final Report. Sacramento, California.

Jones, B. & Wood, N. (1989). Traffic safety impact of the 1988 ignition interlock pilot program. Oregon Motor Vehicle Division.

Hingson, R. (1996). Prevention of drinking and driving. Alcohol Health & Research World, 20 (4): 219-226.

Hingson, R. Heeren, T., & Winter, M. (1996). Lowering state legal blood alcohol limits to .08%: The effect on fatal motor vehicle crashes. American Journal of Public Health, 86: 1297-1299.

Linnell, R.H., & Mook, S.J. (1991). Ignition interlock devices: An assessment of their application to reduce DUI. Washington, DC., AAA Foundation for Traffic Safety.

Morse, B.J. & Elliot, D.S. (1989). Hamilton county drinking and driving study: 30 month report (February, 1990). Boulder, Colorado: Institute of Behavioral Science, University of Colorado.

Morse, B.J. & Elliot, D.S. (1992). Effects of ignition interlock devices on DUI recidivism: Findings from a longitudinal study in Hamilton county, Ohio. Crime & Delinquency, 38: 131-157.

National Highway Traffic Safety Administration. Traffic Safety Facts 1995: State Alcohol Estimates. Washington, DC: U.S. Department of Transportation.

Popkin, C.L., Stewart, J.R., Martell, C., & Birckmayer, J.D. (1992). An evaluation of the effectiveness of the interlock in preventing recidivism in a population of multiple DWI Offenders. (Final Report for the Governor's Highway Safety Program AL-92-02-02). The University of North Carolina Highway Safety Research Center.

Ross, H.L., & Gonzales, P. (1988). Effects of license revocation on drunk-driving offenders. Accident Analysis and Prevention, 20: 379-391.

Wiliszowski, C., Murphy, P., Jones, R., & Lacey, J (1996). Determine reasons for repeat drinking and driving. Washington, DC. National Highway Traffic Safety Administration (NTIS DOTHS 808-401).

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Evaluation of the Alberta Ignition Interlock Program: Preliminary Results

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An alcohol ignition interlock is a small breath-testing device linked to the ignition of a motor vehicle to prevent its operation by an individual who has had too much to drink. The effectiveness of ignition interlocks has been demonstrated in several studies which show that DWI offenders who have had an ignition interlock experienced a 28% to 65% reduction in DWI recidivism over DWI offenders who have not (e.g., Elliott and Morse, 1993; EMT Group, 1990; Jones, 1993; Morse and Elliott, 1992; Popkin et al., 1993).

Over the past ten years, the use of alcohol ignition interlocks for convicted DWI offenders has expanded rapidly. Over 30 jurisdictions in the United States have legislation authorizing the installation of an ignition interlock in the vehicles of persons convicted of a DWI offence. In 1990, Alberta became the first province in Canada to introduce a pilot alcohol ignition interlock program for persons convicted of a second or subsequent DWI offence. Since then, the program has become permanent and has expanded to include first-time DWI offenders as well.

This paper presents an overview of the Alberta ignition interlock program and provides preliminary findings on its effectiveness.

The Alberta Ignition Interlock Program

The Alberta ignition interlock program is operated administratively through the Driver Control Board -- a quasi-judicial agency within the Alberta government that is empowered to prescribe the terms and conditions for the possession of driver's licence. Drivers issued a licence suspension automatically come under the purview of the Driver Control Board and may be required to appear before the Board prior to reinstatement. The Driver Control Board has the authority to assign DWI offenders to the interlock program as a condition of licence reinstatement. Offenders can also volunteer for the program as a means to obtain early reinstatement. To volunteer for the interlock program, eligible offenders must have served a

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minimum period of licence suspension (at least three months) and have completed all other conditions of reinstatement (all fines, fees, and programs) before applying. Once accepted into the program, the interlock is installed for a minimum of six months or until the end of the original period of suspension, whichever is longer.

Repeat DWI offenders are often ordered by the Driver Control Board to have an interlock installed as a condition of reinstatement. A minimum period of suspension (at least six months) must have been served and all other conditions of reinstatement must be completed. This includes completion of the weekend-long assessment and referral program known as IMPACT. Offenders can then have the interlock device installed. Once installed, offenders must pass a road test and are then issued a restricted licence that allows them to drive a vehicle equipped with an ignition interlock device. The minimum period of installation is for six months or until the end of the original period of suspension, whichever is longer.

Several years ago, Alberta developed standards for alcohol ignition interlock devices (Electronics Test Centre, 1992). These standards attempt to balance the accurate and reliable measurement of alcohol with the need for a robust device that is difficult to circumvent. The device must be able to respond accurately and reliably under the extreme environmental conditions found in Alberta -- i.e., from -35°C to +85°C. The specifications also indicate that the alcohol sensor must be specific to ethyl alcohol and must not respond to other volatile substances that could cause a false positive reading. The device must also include a number of anti-circumvention features including humidity and temperature sensors to prevent filtered or non-human samples. The standards also require a rolling retest to guard against the possibility of (1) a passerby providing an alcohol-free sample that would allow an impaired individual to start the vehicle and (2) a driver whose BAC is still in the ascending phase continuing to drive if their BAC rises above the threshold value.

An important feature of the interlock device is the inclusion of a data logger to record the results of all breath tests and attempts to start the vehicle without using the ignition switch. This permits the Driver Control Board to monitor a driver's activity and success with the program. Repeated high BACs recorded on the data logger are flagged and may result in an extension of the period of time on the interlock program.

The interlock service provider is Alberta is Guardian Interlock Systems. They operate two service centres -- one in Calgary, the other in Edmonton. The device is based on a fuel-cell alcohol sensor that is specific to ethyl alcohol. The threshold BAC value above which the vehicle will not start is set at 40 mg% (.04%). The device incorporates an anti-circumvention feature

referred to as "hum tone recognition" which requires the driver to hum and blow at the same time. Offenders on the interlock program must bring the vehicle to the service centre at regular intervals (either monthly or bi-monthly) for routine maintenance and to have the information from the data logger down-loaded for review by program monitors.

Over the past two years, as part of a special project, the service centre in Calgary has had case managers or services facilitators available to meet with interlock clients during their regular visits to the service centre. A description of this program is provided in a paper by Marques and colleagues in these proceedings. The role of the case manager is to serve as a liaison between the offender and appropriate health and social service agencies. The objective is to help the offender accomplish the goals of an individualized plan to prevent a relapse of DWI behaviour not only while the interlock is in place but after it is removed as well.

Results

Since 1990 when the ignition interlock program in Alberta began, almost 4,000 DWI offenders have had an interlock installed. This represents about 10% of all convicted DWI offenders in Alberta over this period of time. The median period of installation is 262 days. For this study, the driving records of all persons convicted of a DWI offence in Alberta since 1990 (n=42,178) were obtained and examined for subsequent drinking-driving convictions. The results of the preliminary analyses of these data are presented below.

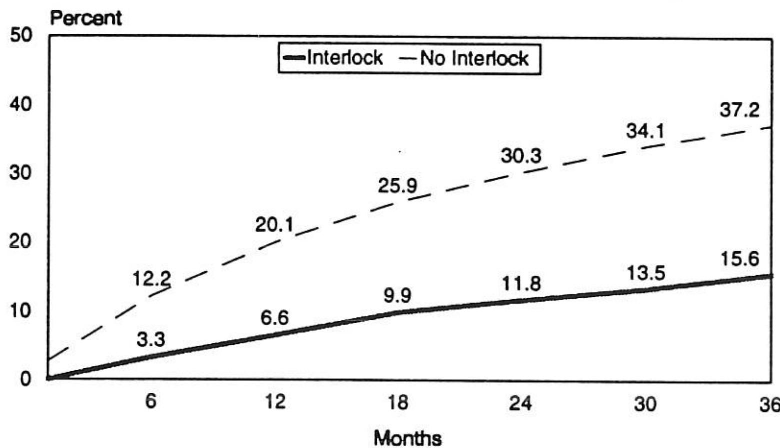
The initial examination of the data revealed that 9.3% of interlock participants had a subsequent conviction for a drinking-driving offence on their records. This compares with 34% of non-interlock offenders who had been reconvicted of DWI.

To examine the impact of interlocks on recidivism rates over time, two groups of drivers who committed a DWI offence between the start of the interlock program and December 1993 were selected. One group (n=818) had an interlock installed; the other (n=4,110) di not. Resticting selection to DWI offenders prior to December 1993 ensured that at least three years of follow-up data were available for all offenders. In addition, because only repeat DWI offenders eligible for the interlock program at the time, the no-interlock group included only those offenders who had a previous DWI on their records.

Figure 1 shows the cumulative percent of the interlock (solid line)and no-interlock (dashed line) groups who were reconvicted of a drinking-driving offence during the three years following the

installation of the interlock or the DWI offence. The recidivism rate for the interlock group is signficantly ($p<.01$) lower than that for the no-interlock at every interval through 36 months. At 36 months, 15.7% of interlock participants had been reconvicted of DWI compared to 37.6% of offenders who did not participate in the interlock program.

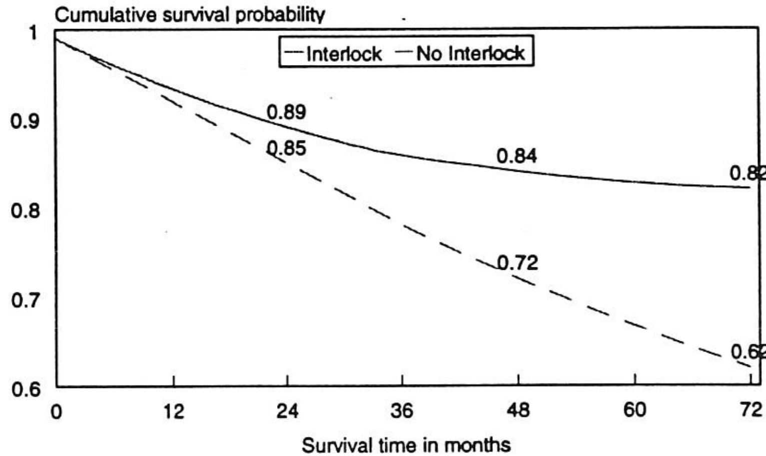
Figure 1
Cumulative Percent of Interlock and No-Interlock Participants Who Were Reconvicted of a Subsequent DWI Offence Over Time



An alternative approach involves using survival analysis techniques to determine the probability of not reoffending (i.e., surviving) at various time intervals from the date of the original offence. The advantage of survival analysis is that information from all cases is used to determine survival probabilities; it is not restricted to those cases with offence dates prior to December, 1993.

Figure 2 shows the cumulative survival probability (i.e., the probability of not being reconvicted of a DWI offence) for both the interlock (solid line) and no-interlock (dashed line) groups. It is evident in this figure that the survival probability was higher for the interlock group at all points up to 72 months after the index DWI offence. Interestingly, whereas the survival probability for the no-interlock group continues to decline over the entire six-year period, the survival probability for interlock participants actually begins to stabilize after about 36 months.

Figure 2
Cumulative Probability of Not Committing a Repeat DWI Offence Over Time for Interlock and No-Interlock Participants



Discussion

These results, although preliminary, show a significant and positive effect of the ignition interlock program in Alberta. DWI offenders who participated in the interlock program had a lower rate of DWI recidivism and higher survival probabilities than DWI offenders who did not participate in the interlock program. The results add to a growing body of literature demonstrating the effectiveness of ignition interlock programs.

While the observed differences in recidivism are large and significant, it is acknowledged that the at least some this effect could be attributable to differences in the characteristics of the offenders in interlock and no-interlock groups. In the examination of three-year recidivism rates, the interlock group consisted primarily of repeat offenders who were ordered by the Driver Control Board to have an interlock installed as a condition of licence reinstatement. The criteria used by members of the Driver Control Board to determine who should and should not be assigned to the interlock program are not necessarily consistent or quantifiable. Whereas some may only assign "high-risk" offenders to the interlock program, others may view the interlock program as being appropriate only for those offenders considered to be at low risk of recidivism. To the extent that "high-risk" offenders predominate among interlock participants, the results will underestimate the effect of the interlock program. Should "low-risk" offenders predominate, the results will overestimate the impact of ignition interlocks. Further analyses are necessary to examine the characteristics of offenders to determine the nature and direction of these types of influences on

the results.

In the survival analysis, all DWI offenders were included. In recent years, many interlock participants were first-time offenders who volunteered for the program. These offenders likely differ from those who did not volunteer in a number of ways such as motivation/need to drive and/or socio-economic status. This self-selection process could introduce a bias would serve to overestimate the effect of the interlock program. Further analyses are necessary to examine the impact of the interlock program on first-time offenders (primarily voluntary participants) and repeat offenders (primarily non-voluntary participants).

In conclusion, these initial results of the Alberta alcohol ignition interlock program indicate a positive impact on recidivism. The findings are encouraging and support the continuation of the program.

References

Electronics Test Centre (1992). *Qualification Test Specification for Breath Alcohol Ignition Interlock Devices (BAIID) for use in the Province of Alberta.* Edmonton: Alberta Research Council.

Elliott, D.E. (1987). *The Hamilton County-Guardian Interlock Evaluation Study.* Washington: National Highway Traffic Safety Administration.

EMT Group (1990). *Evaluation of the California Ignition Interlock Pilot Program for DUI Offenders. Final Report.* Sacramento CA: EMT Group.

Jones, B. (1993). The effectiveness of Oregon's ignition interlock program. In: H.D. Utzelmann, G. Berghaus and G. Kroj (Eds.) *Alcohol, Drugs and Traffic Safety* - T92. Proceedings of the 12th International Conference on Alcohol, Drugs and Traffic Safety. Cologne: Verlag TUV Rhineland.

Marques, P.R., Voas, R.B., Beirness, D.J., Taylor, E.P. and Cossins, D.E. (1997) Alberta interlock program: Services intervention update. In: Proceedings of the 14th International Conference on Alcohol, Drugs and Traffic Safety.

Morse, B.J. and Elliott, D.S. (1990). *Hamilton County Drinking and Driving Study: 30 Month Report.* Boulder, Colorado: University of Colorado.

Popkin, C.L., Steward, J.R., Beckmeyer, C., and Martell, C. (1993). An evaluation of the effectiveness of interlock systems in preventing DWI recidivism among second-time DWI offenders. In: H.D. Utzelmann, G. Berghaus and G. Kroj (Eds.) *Alcohol, Drugs and*