

## NOTICE

You have been approved for a restricted license after you prove that you have installed an ignition interlock device in your vehicle. MCL 257.625k(1)(c) requires a BAIID that is capable of recording a digital image of the individual providing the sample, and record the time and date the sample was provided on or logically associated with the digital image. You may only drive a vehicle with an ignition interlock device installed. **You may not remove the device until you are approved to do so by the Department.** The purpose of this device is to measure the bodily alcohol content (BAC) of the driver and to prevent the motor vehicle from being started if the BAC is greater than .025. The device will also require you to give random breath samples while driving. Please note the following:

- 1) You cannot drive until you provide proof of installation of the ignition interlock device to a Secretary of State branch office and a restricted license is issued.
- 2) In order to obtain the restricted license, you must first get the ignition interlock device installed in any vehicle you own or plan to operate. You will have to be driven to and from the installation center by a licensed driver and until the restricted license is issued.
- 3) After installation of the ignition interlock device, return to a local branch office with proof of installation given to you by the ignition interlock installer. If there are no other open licensing actions against you and you pass all required testing, then the branch office will issue you the restricted license.
- 4) Violations of the Ignition Interlock Restrictions include the following:
  - A. **MINOR VIOLATIONS** will result in a three month extension of the length of time before you can request another driver's license appeal hearing. **You may not remove the ignition interlock device until you are approved to do so by the Department.**
    1. Three (3) start-up failures within a monitoring period.
    2. Failure to report to your installer within seven (7) days after your monitoring appointment.
  - B. **MAJOR VIOLATIONS** will result in a reinstatement of the original denial/revocation. These violations include:
    1. A rolling retest failure.
    2. Failure to take a rolling retest.
    3. An arrest for drinking and/or drugged driving (issuance of a 625g permit).
    4. Tampering with the ignition interlock device.
    5. Three (3) minor violations within a monitoring period.
    6. Failure to re-install an ignition interlock device within seven (7) days of removing it from your vehicle.
    7. Operating a vehicle without a properly installed ignition interlock device.

***IMPORTANT INFORMATION:*** Make sure you understand how to properly operate the ignition interlock device. You will be responsible for any and all violations. MCL 257.322(6)(a) requires a properly installed and functioning ignition interlock device on each motor vehicle the person owns or intends to operate, the costs of which shall be borne by the person whose license is restricted. Further, MCL 257.322(9) requires the device to be actually installed in your vehicle for

a minimum period of not less than one full year. **You cannot remove the device or cause the device to be removed unless the Department has issued an order authorizing its removal [MCL 257.322a].** You will be required to present a BAIID Report prepared by the ignition interlock manufacturer to prove you have driven on the interlock for not less than one year and that you did so without alcohol in your body.

A manufacturer certified by the State of Michigan must install the BAIID (Breath Alcohol Ignition Interlock Device).

**A petitioner is required to maintain complete abstinence from alcohol and illicit drugs while on a restricted license, whether in a motor vehicle or at any other time. R 257.301(1).**

### PROPER INTERLOCK USE

**YOU WILL BE RESPONSIBLE FOR ALL INTERLOCK VIOLATIONS.** The statements that follow cover some of the common violations involving the ignition interlock devices, but this list is not exhaustive. **You must read this Order in its entirety and learn to use the ignition interlock device correctly.** You must familiarize yourself with any and all instructions provided by your ignition interlock company.

- **Never** leave your vehicle running and unattended, even momentarily. If you fail to provide a timely rolling re-test for any reason, it is a major ignition interlock violation. Your original revocation/denial will be reinstated and you will lose your license.
- **Never** exit your vehicle without first making sure that a rolling re-test has not been requested. Arrive at your destination, physically look at the ignition interlock device, and then turn off the ignition. You should look at the device again before exiting. Do not turn your vehicle off after a rolling re-test has been requested without providing a breath sample within the allotted five (5) minute time frame. Failure to provide a rolling re-test is a major violation. Your original revocation/denial will be reinstated and you will lose your license.
- **Periodically** start your vehicle, even if it is not being driven every day, to ensure that the battery remains charged. If your battery dies, use a tow service or AAA to obtain a jumpstart and send the receipt and a letter of explanation to the Department immediately after doing so.
- You and/or a repair facility **must** contact the interlock company **before** making any repairs to your vehicle. Provide notice to the interlock company of the type of repairs and the dates they are scheduled to be completed.
- **Obtain documentation** (legible, dated, and signed receipts) for any repairs done to your vehicle. This includes tow receipts and receipts from auto parts stores. These receipts and a letter of explanation that is notarized, dated, and signed by you should be sent to the interlock company immediately after repairs are completed. Make sure it is clear on the face of the receipt if a mechanic has possession of the vehicle for longer than one (1) day.
- Receipts with an accompanying letter of explanation should be scanned, uploaded as an attachment, and emailed to MDOS-BAIIDDocumentation@michigan.gov within five (5) days of repairs being completed. Note that this email is used solely to submit documents and that the Department will not respond to emails.
- **Never eat or drink anything** (other than plain water) within 15 minutes of providing a breath sample. **Be careful if you use mouthwashes or cold medications,** such as Listerine, Scope or Nyquil. Many contain alcohol, ranging from about 20% to 30%. You should avoid using any products that contain alcohol. If alcohol is detected by the machine, you should rinse out your

mouth with water and provide a second sample within five (5) minutes. Do not just walk away from the machine. It is advisable that you keep a bottle of water in your vehicle. Ask your pharmacist if you are unsure if a product contains alcohol. **FOLLOW THIS INSTRUCTION CAREFULLY – YOU WILL BE HELD RESPONSIBLE FOR POSITIVE ALCOHOL INDICATIONS.**

- **With an alcohol reading on your interlock device or other violation such as missed rolling retest or power losses, it is also advisable that you obtain an objective test to prove you were not drinking.** This might involve a preliminary breath test (PBT) from your local police station, sheriff's department, or State Police post if within 1 hour of the violation. It could also involve other chemical tests such as an Ethyl Glucuronide (ETG) test from a toxicology lab if within 24 hours of the violation. Note that doing so will not necessarily avoid a reinstated revocation/denial if a major violation occurs, i.e., a failed rolling re-test. However, the test results may be taken into consideration in the event an administrative hearing is scheduled. The burden is **always on you** to prove that you had continued to maintain abstinence and had not relapsed.
- **Limit** the people who have access to your vehicle. **You are responsible** for all violations of the interlock device. Action will be taken **against you** if another individual misses a re-test, provides a breath sample that includes alcohol, or otherwise violates the interlock device.
- If you change interlock companies, **notify** the Department **within seven (7) days** of the removal of your first interlock company's interlock device and the installation of the new company's device by mailing the new installation certificate to the Department.

## IGNITION INTERLOCK CERTIFIED MANUFACTURERS

**#1A LIFESAFER OF MICHIGAN  
TOLL FREE 1-888-294-7002**

**ALCOLOCK MI, INC.  
TOLL FREE 1-855-875-4579**

**ALCOHOL DETECTION SYSTEMS-ADS  
TOLL FREE 1-888-786-7384**

**INTOXALOCK  
TOLL FREE 1-844-289-0299**

**DRAEGER, INC.  
TOLL FREE 1-866-694-6099**

**SMART START MICHIGAN  
TOLL FREE 1-800-880-3394**

*Should you meet federal poverty guidelines, you may be eligible for reduced costs associated with the use of this device. Ask your installer for more information.*

## **REHEARING:**

Petitioner is not eligible for another driver's license appeal hearing until one year from the date of this hearing [R 257.303 (9)]. Requests for a hearing can be made 6 weeks prior to the eligibility date and must include the required documentation that is dated no more than 3 months before the date it is received by the Department [R 257.301(1)(f)].

## **REQUIREMENTS:**

Petitioner should submit the following document(s) with his/her request for the next hearing:

- **REQUEST FOR HEARING:**

Petitioner must submit a completed Request for Hearing (SOS 257). This document can be obtained online from [www.michigan.gov/sos](http://www.michigan.gov/sos) and searching for 'request for hearing.'

- **SUBSTANCE ABUSE EVALUATION:**

Current substance abuse evaluation, prepared by a qualified professional, that is complete and accurate. Petitioner will be **responsible** for any **deficiencies** in the evaluation or any **discrepancies** between the information in the substance abuse evaluation and other evidence presented, and should review it carefully before submitting it to the Department.

- **COMMUNITY PROOFS:**

Community proofs to verify abstinence from alcohol, 'non-alcoholic beer' and/or illegal drugs (at least 3 witnesses and/or recent letters, maximum of 6) that conform to the directions contained in the Request for Administrative Review form (SOS 257/258) -- that are **very specific about length of any abstinence** and that are from **a cross-section of the community** (such as from work, family, friends, and support groups --- they should not be just from AA or support group attendees).

- **FINAL IGNITION INTERLOCK REPORT:**

An original Final Ignition Interlock Report. Note: The Petitioner will be held responsible for any violations of the ignition interlock agreement. The Petitioner will be held **responsible for any other person operating the ignition interlock device issued to the Petitioner**. If this other person fails to comply with the ignition interlock agreement, the Petitioner will be held accountable. Therefore, a Petitioner should be very careful who is allowed to use the vehicle equipped with the ignition interlock device.

- **CURRENT DRUG SCREEN:**

Petitioner should also provide an original copy of laboratory results of a 12-panel urinalysis drug screen report, including readings for the integrity variables creatinine and specific gravity. [Petitioner should submit a normal urine specimen for testing between the date of receipt of the next Notice of Hearing and the actual date of the hearing.]

- **MEDICAL STATEMENTS:**

If under any **medical care or attending counseling**, Petitioner should provide progress reports from caregivers. If any **medications** are prescribed, the reasons for them and the expected period that they will need to be taken should be specified. The report should indicate whether the medications are **addictive or habit-forming** and, if they are, that the prescribing doctor is aware of Petitioner's substance abuse problem. Any reports should address whether such medications pose any risk to ongoing recovery. Additionally, a completed DI-4P (Physician's Statement of Examination) must be submitted. This document can be obtained by going to [www.michigan.gov/sos](http://www.michigan.gov/sos) and searching for 'Physician's Statement of Examination.' This document must be signed by a licensed MD or DO.