

## Florida

Effective October 2008, Judges must order interlocks for all repeat and all first-time convicted drunk drivers with a blood alcohol concentration (BAC) of .15 or greater. Judges have the option to order interlocks for first-time offenders with a BAC of .08 to .14. As of December 2017, there were 10,258 interlocks installed in Florida. Between 2006 to 2018, interlocks stopped 89,085 attempts to drive drunk, including 10,225 in 2018.

**Why MADD does not call the law all-offender?** We do not classify the law as all-offender as first-time offenders can obtain a time/route restricted license 30 days after revocation and judges are not required to order interlocks for all first-time offenders.

### Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after conviction	6 months if ordered by a Judge	<i>Require interlocks use during any court ordered or DMV license suspension. Eliminate waiting periods before a person goes on an interlock. Allow for the use of interlocks for any refusal.</i>
First offense .15 BAC or more	30 days after conviction	Mandatory 6 months	
Second offense	1 year after conviction	1 year	
First refusal	Interlocks not available for first-time refusals		

#### Compliance Based Removal?

**Yes**

A user may have their time an interlock extended as a result of a third or subsequent violation by the DHSMV. Violations are sent to DUI programs. A violation includes: 1) Any two breath tests above the .05 BAC upon initial startup of the vehicle, 2) Any retest above a .05 BAC. 3) Any evidence of equipment tampering that is determined to be the result of alcohol use. 4) Missed rolling retest.

#### Day-for-Day Credit for early installation?

**No**

#### Legislative Recommendation

*Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

#### Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

**No**

#### Legislative Recommendation

*Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

#### Indigent Program?

**No**

Currently, if a court determines that the convicted person is unable to pay for the installation an interlock, the court may order that a portion of the fine paid by the person be allocated to defray the costs of installing the device.

#### Legislative Recommendation

*Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.*

#### Interlock user fees (not including leasing costs of the device)

**Yes**

Must pay a one-time \$12 fee to the DMV. A user must also pay fees to attend a DUI school for appointments regarding any interlock violations