

## New Mexico

New Mexico's all-offender interlock law went into effective on June 17, 2005. As of December 2017, there were 11,717 interlocks installed in New Mexico. Between 2006 to 2018, interlocks stopped 79,277 attempts to drive drunk, including 7,728 in 2018.

**Why MADD calls the law all-offender? We call it all-offender as judges must order the use of interlocks for first-time offenders and offenders must use an interlock in order to drive during a license suspension period.**

### Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	1 year	<i>Allow for interlock use for refusals.</i>
Second offense	Unclear	2 years	
First refusal	Interlocks not available for first-time refusals		

#### Compliance Based Removal?

**Yes**

In order to obtain an unrestricted driver's license, the person must show: 1) a minimum of six months of driving with an ignition interlock license with no attempts to circumvent, remove or tamper with the ignition interlock device. 2) evidence that the ignition interlock device has not recorded two vehicle lockouts. 3) evidence of verified active usage as that phrase is defined by the bureau (DMV).

#### 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?

**Yes**

Indigency determined by the Traffic Safety Bureau based on proof of enrollment in one or more of the following types of public assistance: 1) TANF: Temporary Assistance for Needy Families, 2) GA: General Assistance -SNAP: Supplemental Nutritional Assistance Program, 3)-SSI: Supplemental Security Income, 4) FDPIR: Food Distribution Program on Indian Reservations. The NMDOT Traffic Safety Bureau shall pay for one vehicle per offender, up to: \$50 for the cost of installation; \$30 monthly for verified active usage of the interlock device, and \$50 for the cost of removal. The person is responsible for all other charges associated with the installation, servicing and removal of the interlock.

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

**Yes**

Must pay \$113 to the DMV for an interlock restricted license.