

**Maryland's  
Ignition  
Interlock  
Program**

Status Report

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February 2017



Dear Fellow Marylanders:

Every year in Maryland, more than 160 families lose a loved one as a result of an impaired driving crash. Nearly one-third of Maryland highway fatalities are due to drunk or impaired driving. These tragedies are senseless and unacceptable, and our administration is committed to saving lives and protecting Marylanders by taking common sense steps to prevent impaired driving.



**Larry Hogan**  
*Governor*

Ignition interlock is an important lifesaving tool that research consistently shows to be extremely effective. The expansion of ignition interlock program is a significant step forward in our goal of having zero fatalities on Maryland’s roadways.

In December 2015, we lost Montgomery County Police Officer Noah Leotta to injuries caused by an impaired driver. Noah’s Law, which I proudly signed into law in May 2016, was named in memory of Officer Leotta, and further protects the citizens of our state by requiring an ignition interlock device for anyone convicted of drunk driving in Maryland. In 2016, Maryland took another important step in the fight to end impaired driving by joining with 29 other states to require all drivers convicted of driving under the influence to participate in an ignition interlock program.

This status report provides an overview of impaired driving arrests and how Maryland’s Ignition Interlock Program works to protect the lives of everyone traveling on our roadways. Our administration remains committed to reducing the number of impaired driving-related injuries and fatalities on all roads in Maryland, and will continue working with law enforcement, elected officials, and our highway safety partners to protect our citizens and save lives. Together, we will make a difference.

Sincerely,

Larry Hogan,  
*Governor*



Drunk and drug-impaired drivers cause irreparable harm to individuals, families, and communities across the state. Each year in Maryland, there are more than 7,800 impaired driving crashes, resulting in an average of 4,000 injuries and more than 170 fatalities. This loss of life represents approximately one-third of Maryland's traffic fatalities. To combat this problem, Maryland employs a comprehensive approach that combines strict laws, license sanctions, a robust ignition interlock program, high-visibility law enforcement and public outreach.

Expanding the reach of Maryland's Ignition Interlock Program is a key strategy in the state's fight against impaired driving. According to a 2012 National Highway Traffic Safety Administration study, drivers who have interlocks installed are 35 to 75 percent less likely to have a repeat drunk-driving offense than drunk drivers who do not have an interlock device installed.

In 2015, Maryland's ignition interlock program prevented nearly 4,000 attempts to start or operate a vehicle where the driver's blood alcohol concentration was greater than 0.08 – the legal limit in Maryland, saving lives by preventing impaired drivers from driving on Maryland roads.

Significant changes to Maryland laws and regulations in 2016 marked a milestone in Maryland's fight against impaired drivers. In March 2016, modifications proposed by Governor Larry Hogan were adopted that allowed drivers to opt-in to the ignition interlock program without having to request an administrative hearing.

## THE DRUNK DRIVING REDUCTION ACT OF 2016 (NOAH'S LAW)

On May 19, 2016, the Drunk Driving Reduction Act of 2016, also known as Noah's Law, was signed into law by Governor Hogan, and has been in effect in Maryland since October 1, 2016. Noah's Law is named in honor of Montgomery County Police Officer Noah A. Leotta, who was struck by a drunk driver on December 3, 2015, and died a few days later due to the severity of the injuries suffered in the crash.

Noah's Law significantly strengthens Maryland's Ignition Interlock Safety Program, making it one of the strongest programs in the nation.

Noah's Law makes Maryland's roadways safer by mandating Ignition Interlock for impaired drivers who are convicted of various impaired driving offenses and making the requirements for completing Ignition Interlock more stringent.



Noah's father, Rich Leotta, and Governor Larry Hogan after the signing of Noah's Law, May 19, 2016.



The Maryland Department of Transportation (MDOT) launched a media campaign called “Don’t Blow It” to raise public awareness about the changes to the law leading up to its effective date of October 1, 2016. The Don’t Blow It campaign employed paid radio, the internet, and outdoor advertisement to spread the message. The placement of ads targeting impaired driving crash hot spots, social media messaging, and memorial checkpoints were used to lend victims’ families voices to the campaign. Additionally, to ensure that officers were prepared for the changes, a training video was produced and disseminated to law enforcement agencies statewide.

The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) also modified its information technology systems. These modifications will allow for better tracking of impaired driving cases through the administrative and criminal sanctioning processes and enable better assessment and evaluation of the law’s impact going forward.

## IMPAIRED DRIVING CASES IN MARYLAND

Drivers whose blood alcohol concentration<sup>1</sup> (BAC) is 0.08 grams of alcohol per deciliter of blood or higher are considered impaired by law, or *per se*. An impaired driving arrest begins the process of evaluating, sanctioning, and monitoring drunk drivers. From 2010 to 2015, more than 142,000 impaired driving arrests were made in Maryland. Multiple citations may be issued by the arresting officer that encompasses all applicable sections of the law; therefore, if convicted, drivers can face both administrative sanctions and criminal penalties.

At the time of the arrest, drivers who are suspected of being impaired by alcohol are advised by the arresting officer of their rights and the penalties that may result if their BAC is above the legal limit. Additionally, drivers also are informed of the penalties that may be imposed if they refuse to submit to the chemical test administered by a qualified technician that measures their alcohol concentration.

According to Maryland State Police report data, approximately one-third of drivers arrested in 2015 refused to submit to a chemical test. Of drivers who were tested, more than four out of five had a BAC above the legal limit. If the driver’s BAC is below the legal limit, they can still be charged with one or more impaired driving offenses other than *per se*.

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<sup>1</sup> Blood/Breath Alcohol Concentration (BAC) is the amount of alcohol in a breath or blood sample. BAC is expressed as the weight of ethanol, in grams, in 100 milliliters of blood, or 210 liters of breath.

**TABLE 1: IMPAIRED DRIVING ARRESTS AND ALCOHOL TESTING, CY2010-2015**

Alcohol Test Results for §21-902 (a)(b) Offenses						
	2010	2011	2012	2013	2014	2015
Drivers Offered Test	22,563	22,343	21,239	21,151	20,518	20,089
Drivers Tested	16,463	15,850	14,364	14,624	13,959	13,440
Drivers Refused Test	6,100	6,493	6,875	6,527	6,559	6,649
Refusal Rate	27%	29%	32%	31%	32%	33%

Source: Compiled from Department of Maryland State Police, Alcohol Influence and PBT<sup>2</sup> Use Summary Reports

Between 2010 and 2015, more than 80 percent of drivers tested had a BAC above the legal limit, and 40 percent of drivers tested had a BAC of 0.15 g/dL or higher.

**TABLE 2: BAC RESULTS OF DRIVERS TESTED BY PERCENT, CY2010-2015**

	2010	2011	2012	2013	2014	2015
<b>Drivers Tested</b>	16,463	15,850	14,364	14,624	13,959	13,440
<b>BAC Level (g/dL)</b>						
<0.02 g/dL	6.4%	7.5%	7.9%	7.4%	7.9%	9.8%
0.02 - 0.04 g/dL	2.4%	2.4%	2.8%	2.3%	2.4%	2.5%
0.05 - 0.07 g/dL	6.6%	6.5%	6.4%	6.3%	6.5%	6.5%
0.08 - 0.14 g/dL	42.9%	43.3%	43.3%	43.5%	43.4%	41.9%
0.15 g/dL or Higher	41.7%	40.3%	39.6%	40.4%	39.9%	39.3%

Source: Compiled from Maryland State Police, Alcohol Influence, and PBT Use Summary Reports

## ADMINISTRATIVE SANCTIONS

If the driver refuses to submit to the test, or tests above the legal limit, the arresting officer issues an *Order of Suspension* to the driver and sends a copy to the MVA. On average, the MVA receives more than 21,000 Orders of Suspension each year.

**TABLE 3: ORDERS OF SUSPENSION RECEIVED BY OFFENSE TYPE, CY2010-2015**

Offense Type		2010	2011	2012	2013	2014	2015
Test Refusal	First Offense	6,218	6,543	6,962	6,804	6,876	6,984
	Second or Subsequent Offense	1,540	1,573	1,721	1,665	1,673	1,731
0.08 - 0.14 g/dL BAC	First Offense	6,023	5,837	5,349	5,536	5,233	4,824
	Second or Subsequent Offense	1,079	1,084	959	971	857	893
0.15 g/dL BAC or Higher	First Offense	6,425	5,962	5,330	5,601	5,236	4,942
	Second or Subsequent Offense	357	394	429	527	487	513
Total Orders of Suspension		21,642	21,393	20,750	21,104	20,362	19,887

Source: MDOT-MVA Document Imaging and Workflow System

<sup>2</sup> A Preliminary Breath Test (PBT) is typically conducted by the officer using a handheld breath sampling device before an impaired driving arrest.



*Administrative per se* suspensions take effect on the 46<sup>th</sup> day following the arrest, unless the driver requests a hearing with the Office of Administrative Hearings (OAH). At an OAH hearing, drivers with a BAC between 0.08 g/dL and 0.14 g/dL may be issued a modification of their suspension that allows them to drive to work, school, alcohol treatment, and medical appointments. The Ignition Interlock Program is the only suspension modification normally available to drivers who refuse the chemical test or whose BAC was 0.15 g/dL or higher at the time of the arrest. Drivers appearing for an OAH hearing for second offenses for either refusing the chemical test or testing at 0.15 g/dL BAC or higher are among those who are most likely to be referred to Ignition Interlock by an administrative judge. In comparison, a low percentage of drivers appearing for an OAH hearing for a first offense for testing between 0.08 and 0.15 g/dL BAC are referred to Ignition Interlock.

The length of the license suspension depends on the chemical test result (or refusal) and if there have been prior administrative per se offenses of the same kind. Noah’s Law increases driver’s license suspension periods for drivers who tested at or above 0.08 g/dL BAC under Maryland’s *Administrative Per Se* law.

**TABLE 4: CHANGES IN LICENSE SANCTIONS FOR ADMINISTRATIVE PER SE VIOLATIONS UNDER NOAH'S LAW**

Offense	0.08 -0.14 g/dL BAC		0.15 g/dL BAC or More		Test Refusal	
	Prior Law	Noah's Law	Prior Law	Noah's Law	Prior Law	Noah's Law
First	45 Days	180 Days	90 Days	180 Days	120 Days	270 Days
Second or Subsequent	90 Days	180 Days	180 Days	270 Days	1 Year	2 Years

For violations occurring on or after October 1, 2016, these increased suspension periods provide additional motivation for drivers to elect to participate in the Ignition Interlock Program rather than serve the increased license suspension period. If eligible, the driver may immediately opt-in to Maryland’s Ignition Interlock Program, rather than serving the suspension period or requesting an administrative hearing to dispute the charge.

## CITATIONS AND COURT DISPOSITIONS

In the past six years, more than 380,000 impaired driving citations<sup>3</sup> have been issued by arresting officers. During one impaired driving arrest, the officer may issue citations under multiple sections of Maryland’s impaired driving law, in addition to citations for other moving violations.

**TABLE 5: IMPAIRED DRIVING ARRESTS, CITATIONS, AND ORDERS OF SUSPENSION, CY2010-2015**

	2010	2011	2012	2013	2014	2015	Total
<b>Arrests</b>	25,277	24,730	23,628	23,491	22,909	22,187	142,222
<b>Citations</b>	66,896	65,996	63,872	66,030	64,128	61,900	388,822
<b>Orders of Suspension</b>	21,642	21,393	20,750	21,104	20,362	19,887	125,138

Source: Arrests and Citations - National Study Center for Trauma and Emergency Medical Systems at the University of Maryland School of Medicine, based on Maryland District Court Data; Orders of Suspension - according to the MDOT-MVA Document Imaging and Workflow System

<sup>3</sup> This refers to citations issued for any violation contained in Transportation Article §21-902.

All impaired driving citations are “must appear” offenses; the driver does not have the option to pay a fine in lieu of an appearance in court. Impaired driving arrests, citations and Orders of Suspension issued declined by approximately 10 percent from 2010 to 2015.

### OTHER VIOLATIONS IN IMPAIRED DRIVING ARRESTS

Impaired driving arrests often involve other moving violations. These unsafe driving behaviors can be indicators to law enforcement officers that the driver is impaired, may be the cause for the initial traffic stop, or may be found after the traffic stop is initiated.

**TABLE 6: ADDITIONAL CITATIONS ISSUED DURING IMPAIRED ARRESTS, CY2010-2015**

Violation	Number of Citations	Percentage of Citations
Speeding	54,968	36.31%
Red Light Violation	34,197	22.59%
Driving while Suspended or Revoked	28,685	18.95%
Lane Violation	16,994	11.23%
Safety Belt Use	7,127	4.71%
Failure to Yield Right of Way	6,208	4.10%
Handheld Cell Phone	1,250	0.83%
Pedestrian Violation	1,001	0.66%
Aggressive Driving	468	0.31%
Texting	269	0.18%
Pedestrian Violation (Driver)	200	0.13%
	151,367	100%

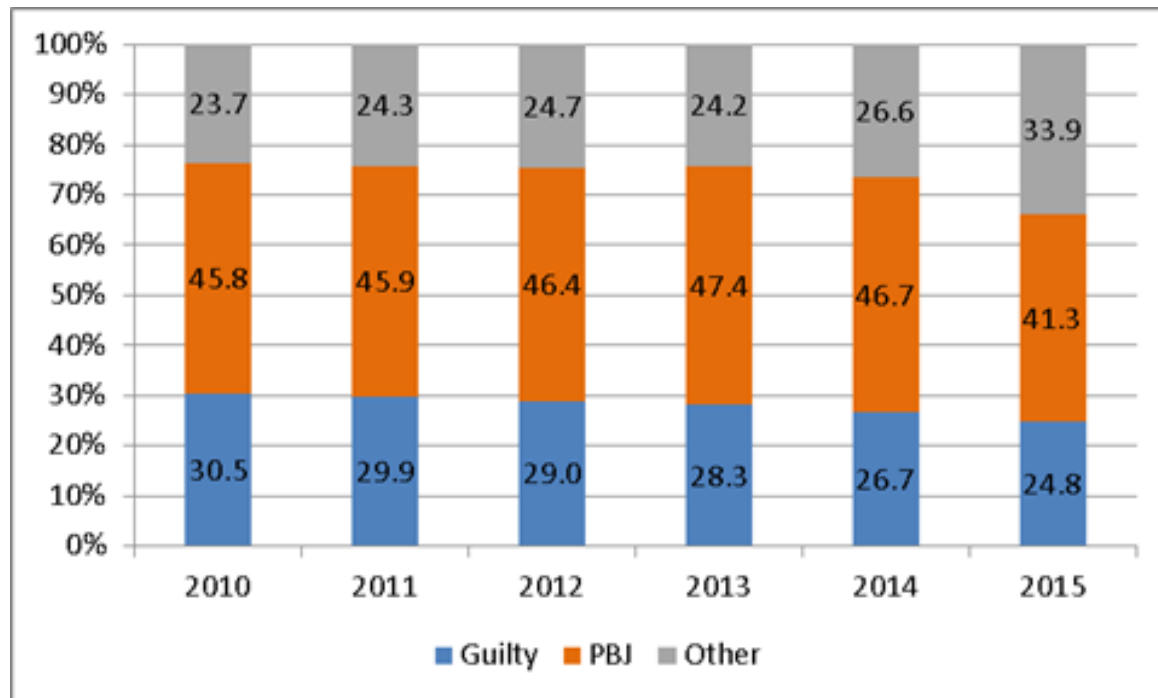
### IMPAIRED DRIVING CITATIONS AND DISPOSITIONS

While a driver may be issued citations for violations of more than one section of law, it is common for a driver to be found Guilty or be given Probation Before Judgment (PBJ) for only one violation, while the accompanying citations are not prosecuted. To assign a disposition to a single arrest, the final dispositions of each citation issued during that event are ranked in the order of seriousness of the outcome: Guilty, PBJ, or Other (Not Guilty, Nolle Prosequi, merged with other citations, placed on a Stet docket, Dismissed, Jury Trial Prayed, etc.). The following figures identify cases where the most severe consequence for each arrest was Guilty or PBJ.

**TABLE 7: IMPAIRED DRIVING CITATION DISPOSITIONS BY YEAR, CY2010-2015**

	2010	2011	2012	2013	2014	2015	Total
<b>Citations</b>	66,896	65,996	63,872	66,030	64,128	61,900	388,822
<b>§21-902(a) Offenses</b>							
<b>Guilty</b>	4,168	3,844	3,315	3,241	2,944	2,586	20,098
<b>PBJ</b>	6,060	5,994	5,447	5,625	5,215	4,302	32,643
<b>Other Disposition</b>	4,624	4,593	4,545	4,345	4,605	6,127	28,839
<b>§21-902(b) Offenses</b>							
<b>Guilty</b>	3,206	3,144	3,183	3,176	2,969	2,680	18,358
<b>PBJ</b>	5,200	5,035	5,176	5,398	5,368	4,722	30,899
<b>Other Disposition</b>	770	701	611	756	851	669	4,358
<b>§21-902(c) Offenses</b>							
<b>Guilty</b>	221	235	232	211	212	216	1,327
<b>PBJ</b>	204	223	232	227	237	241	1,364
<b>Other Disposition</b>	442	521	490	500	513	610	3,076
<b>§21-902(d) Offenses</b>							
<b>Guilty</b>	120	163	120	144	97	114	758
<b>PBJ</b>	108	85	97	102	80	69	541
<b>Other Disposition</b>	153	186	180	201	225	267	1,212

**FIGURE 1: PERCENTAGE OF GUILTY, PROBATION BEFORE JUDGMENT, AND OTHER DISPOSITIONS IN MARYLAND FOR ALL TR§21-902 OFFENSES BY YEAR, CY2010-2015**





## SANCTIONS UPON CONVICTION

Drivers face both criminal sanctions, potentially including fines, incarceration, and additional license sanctions for impaired driving convictions. Prior to October 1, 2016, only drivers convicted of Transportation Article (TR) §21-902(a) violation within five years of a TR§21-902(a) or (d) violation were mandated to participate in the Ignition Interlock Program. Prior to October 1, 2016, drivers convicted of TR§21-902(a) with a high BAC and drivers convicted of TR§21-902(a) while under the age of 21 could only have their license suspensions modified if they agreed to participation in the Ignition Interlock Program.

## NEW MANDATES FOR INTERLOCK UNDER NOAH'S LAW

Noah's Law expands the mandates for participation in the Ignition Interlock Program for drivers convicted in Maryland. Under the provisions of the new law, drivers must participate in the Ignition Interlock Program if convicted TR§21-902(a) or (d) which are the more severe *driving under the influence* charges. Additionally, it mandates Ignition Interlock for TR§21-902(b) & (c), the less severe *driving while impaired* charge, if convicted with certain conditions such as after a test refusal or while transporting a minor.

Drivers referred to Ignition Interlock for these convictions must successfully complete a program referral for a duration of six months if it is the first time the driver's participation is mandated, one year for the second time, and three years for the third time.

The law also mandates Ignition Interlock Program participation for Maryland drivers convicted in other states of equivalent charges.

## MARYLAND'S IGNITION INTERLOCK PROGRAM

Ignition Interlock programs provide drivers with an alternative to a license suspension or revocation and allow them to continue driving while reducing the likelihood they will drive impaired. An ignition interlock device connects a motor vehicle's ignition system to a breath analyzer that measures a driver's breath alcohol level. The driver must blow into a mouthpiece connected to the device, allowing the device to calculate the driver's BAC. If the device registers a BAC greater than 0.025 g/dL, it will not allow the vehicle to start. After starting the car, random retests are required to be certain the driver has not consumed alcohol.

Maryland's Ignition Interlock Program, which was established in 1989, is managed by the MDOT MVA. Ignition Interlock devices installed in participants' vehicles store the results of breath tests and other data, which is downloaded by the Ignition Interlock service provider when the driver brings the vehicle in for monthly service and calibration. MDOT MVA's computer systems review the data for violations and forwards violation data to the Ignition Interlock Program staff. This automated process allows the MDOT MVA to efficiently monitor participants and take action against program violators.

There are six service providers authorized to install and monitor Ignition Interlock devices in Maryland. All service providers must install a device for eligible participants within 10 days of the request and provide a toll-free 24-hour emergency response number for all participants. The cost to install an Ignition Interlock device ranges from \$150 to \$200, depending on the provider. The average cost for monthly

monitoring ranges from \$65 to \$90. These costs are comparable to fees charged by providers in other states.

## INTERLOCK PARTICIPATION

Maryland’s Ignition Interlock Program monitors thousands of participating drivers each year. The total number of drivers in the program fluctuates from day to day, as new drivers enter the program and others complete the program or are removed for noncompliance. To provide a stable measure of program participation, the numbers of drivers with one or more active Ignition Interlock referrals are now tracked on a quarterly as well as annual basis, as shown in Table 8. The number of drivers below represents unique Soundex numbers that have one or more active referrals during the period.

**TABLE 6: INTERLOCK PROGRAM PARTICIPATION, FY2016**

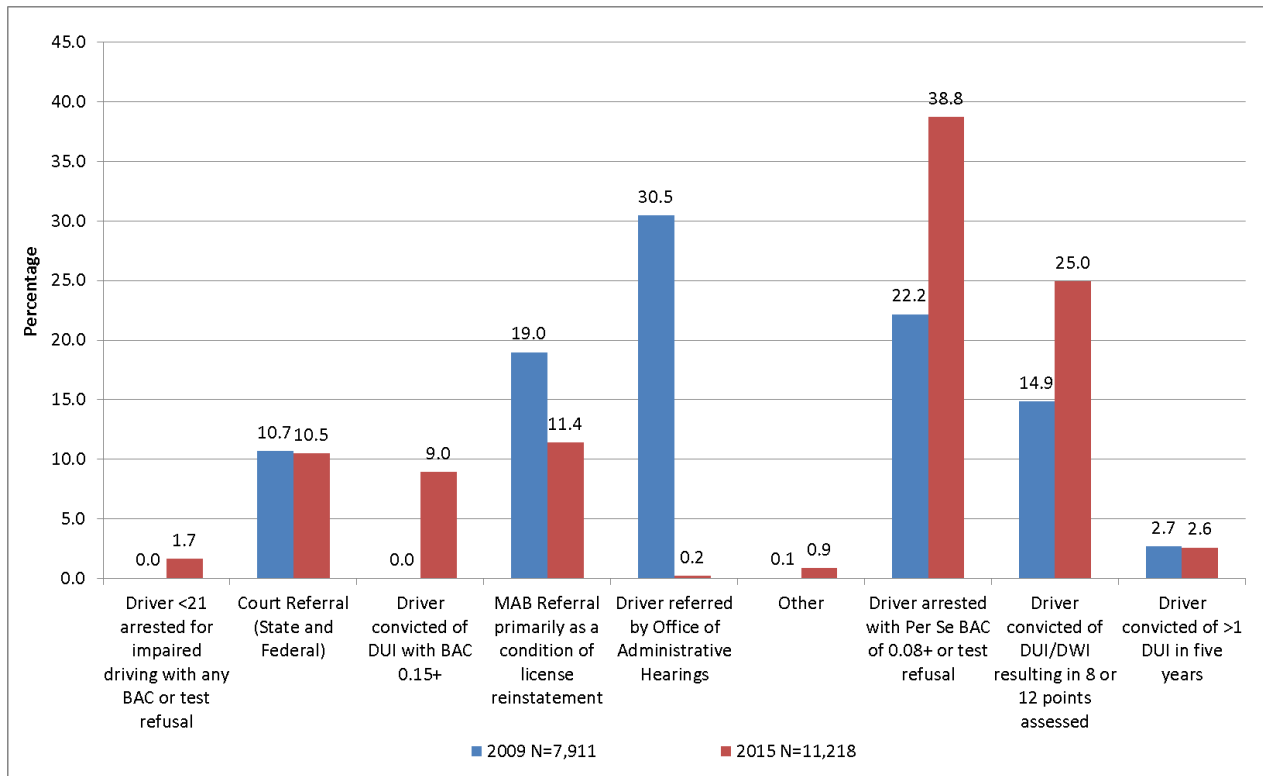
Number of Drivers Participating				
FY16 Q1 Jul-Sep 2015	FY16 Q2 Oct-Dec 2015	FY16 Q3 Jan-Mar 2016	FY16 Q4 Apr-Jun 2016	All of FY16
10,252	10,086	9,929	10,099	14,816

## IGNITION INTERLOCK PARTICIPATION BY REFERRAL SOURCE

Individuals are referred to Ignition Interlock for a range of reasons. Many drivers are referred to the program by more than one source, and it is common for drivers to have multiple referrals that are active at the same time. For example, a driver can have an active referral for opting into the program for an administrative per se offense and have another active referral for a conviction arising from a citation issued during the same arrest.

Figure 2 illustrates the changes in referral sources, as coded by the MVA, for drivers enrolling in Ignition Interlock in 2009 as compared to 2015. In 2009, there were 7,911 new referrals for participants in Ignition Interlock. In 2015, that number increased to 11,218. Between these years, laws were enacted to require Ignition Interlock for drivers convicted of impaired driving while under age 21, driving with a BAC of 0.15 g/dL or greater, and drivers who are convicted of impaired driving twice in five years. Also, by allowing drivers to opt into Ignition Interlock without a hearing, the number of OAH referrals fell, while Per Se/High BAC referrals increased. OAH referrals also fell in part because there was a procedural decision in this time period to code referrals according to their original source, whether or not a hearing was requested.

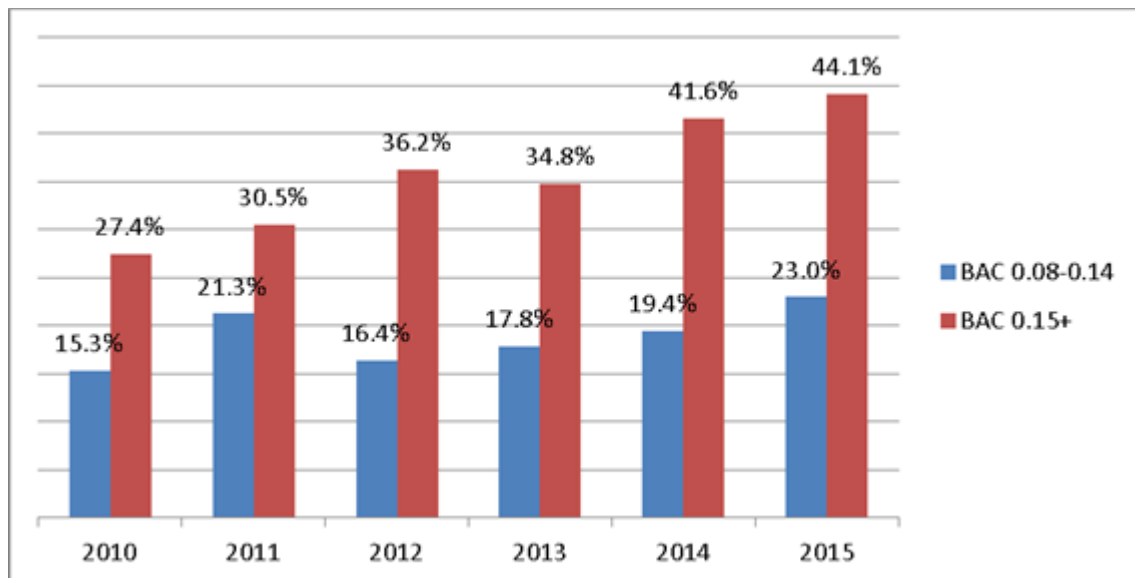
**FIGURE 2: INTERLOCK REFERRAL SOURCES, CY2009 vs. 2015**



### PARTICIPATION BY BAC

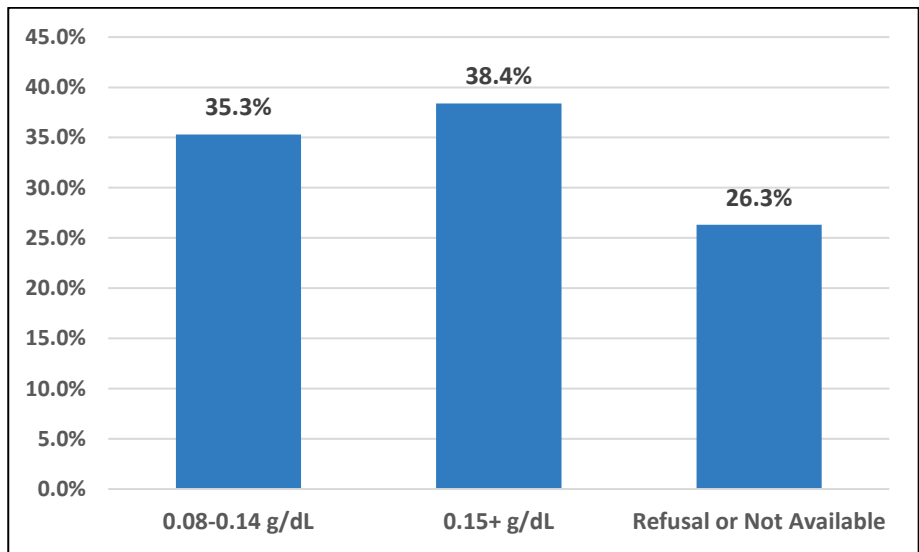
Figure 3 provides a breakdown of BAC from Orders of Suspension issued at the time of arrest and then matched with Ignition Interlock enrollment records. According to the data, the rate of participation in the program among drivers arrested for a driving offense with a high BAC (0.15 g/dL or more) nearly doubled from 2010 to 2015.

**FIGURE 3: PERSONS ENROLLED IN IGNITION INTERLOCK CY2010-2015 BY BAC**



In 2014, there were 1,524 individuals who were convicted (found guilty) of impaired driving (TR§21-902(a)) but *did not* participate in the Ignition Interlock program during that year. Of these individuals, 497 enrolled in the program in 2015, and an additional 138 enrolled in 2016. Figure 4 illustrates the BAC levels of those persons convicted of TR§21-902 in 2014 that did not enroll in the Ignition Interlock Program in 2015 or 2016 (n=889). Drivers who refused a chemical test but were subsequently found guilty of a TR§21-902(a) offense are included in the category “Refusal or Not Available” in Figure 4.

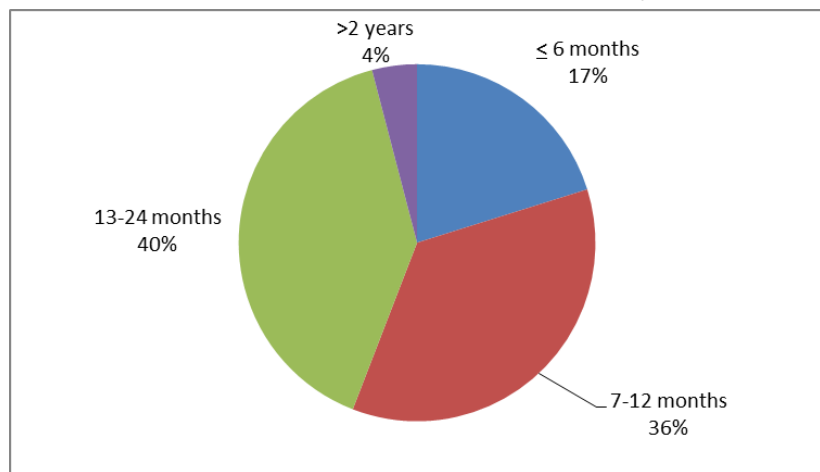
**FIGURE 4: BAC LEVEL OF PERSONS GUILTY OF TR§21-902 (A) OFFENSES IN CY2014, BUT NOT ENROLLED IN IGNITION INTERLOCK, N=889**



### LENGTH OF TIME IN IGNITION INTERLOCK

Figure 5 shows the length of time spent by drivers enrolled in Ignition Interlock. More than half of the participants spent up to 12 months in the program. The other 40 percent of drivers were either assigned to the program for 12 months or more, or had their original assignment period extended due to subsequent citations or program violations. Repeat offenders can be referred to Interlock for terms of up to three years.

**FIGURE 5: LENGTH OF TIME DRIVERS PARTICIPATED IN IGNITION INTERLOCK, CY2010-2015\***

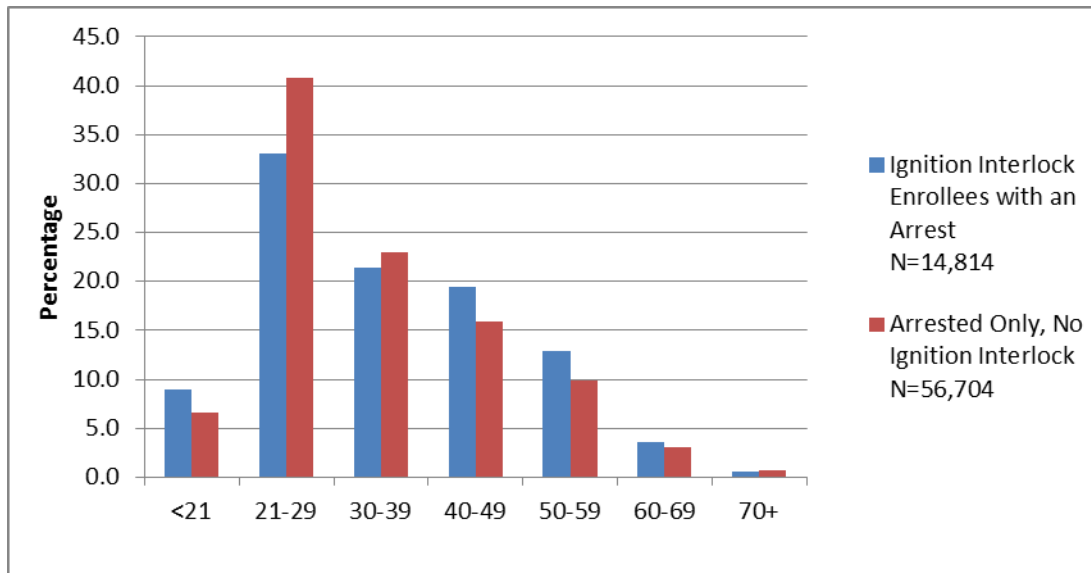


\*excludes drivers who have not completed the program

## IGNITION INTERLOCK PARTICIPANT DEMOGRAPHICS

More than 40 percent of the individuals who were arrested and participated in the Ignition Interlock Program were between the ages of 21 and 29 (Figure 6), and nearly 95 percent of the arrested program participants were under the age of 60. Similar statistics may be seen among those arrested but who did not participate in the Ignition Interlock Program; however, a lower proportion were under the age of 21 and a higher proportion were ages 21-29. In both categories, the majority were male.

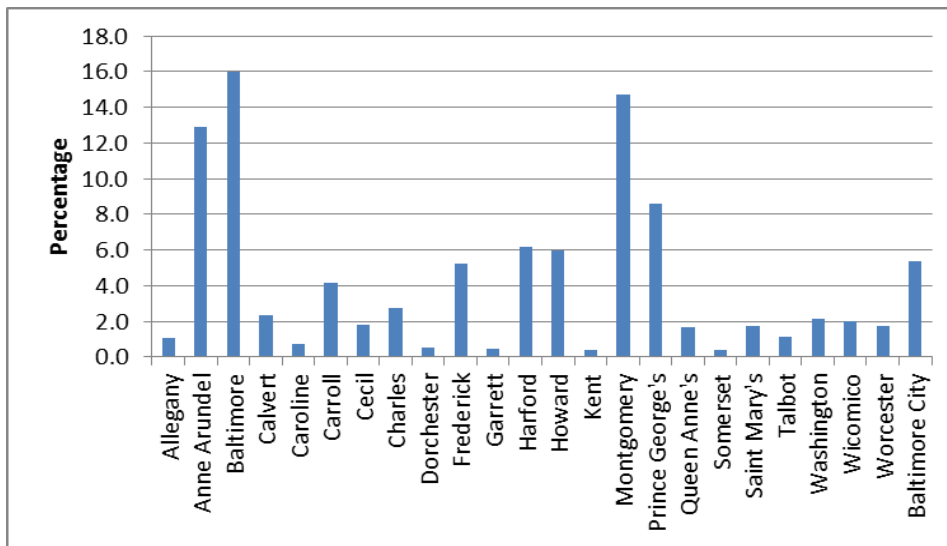
**FIGURE 6: DEMOGRAPHICS OF INTERLOCK PARTICIPANTS AND IMPAIRED DRIVERS ARRESTED AND NOT ENROLLED IN IGNITION INTERLOCK, CY2010-2015**



The rate of enrollment in Ignition Interlock among impaired driving offenders varies by the jurisdiction where the offender lives. Figure 7 shows the jurisdiction of residence for those who were arrested for impaired driving and participated in the program. More than 50 percent of the participants in the program reside in the densely populated areas outside of Baltimore City and Washington, D.C.



**FIGURE 7: JURISDICTION OF RESIDENCE FOR PERSONS WHO WERE ARRESTED AND PARTICIPATED IN THE IGNITION INTERLOCK PROGRAM, CY2010-2015**



### COMPLETING THE IGNITION INTERLOCK PROGRAM

Once enrolled in the program, drivers are required to report to their service provider every 30 days to have the Ignition Interlock device calibrated and the data captured from the device downloaded. Failure to report can result in removal from the program and suspension or revocation of the driver’s license.

During each monthly monitoring period, the Ignition Interlock device records each event, along with the date, time, and test result (if a test is performed). This information is transmitted to the MVA and MVA’s automated system reviews the data and identifies any events that may constitute a program violation.

Violations of the Ignition Interlock Program rules and requirements include, but are not limited to the following:

- ❖ Failure to have the Ignition Interlock device installed and obtain a Maryland driver’s license restricted to the operation only of vehicles equipped with an Ignition Interlock device;
- ❖ Failure to appear for the required monthly monitoring visit every 30 days;
- ❖ Operating a motor vehicle not equipped with a functioning Ignition Interlock device approved for use in the program;
- ❖ Failure to abide by the terms and conditions of the Service Agreement with the Ignition Interlock service provider, including payment of all costs and fees associated with the program;
- ❖ Tampering with, bypassing, or otherwise removing or rendering inoperable the Ignition Interlock device, or allowing someone else to do the same;
- ❖ Attempting to start or operate the vehicle with BAC greater than 0.025 g/dL;
- ❖ Failure to submit to retests after starting the car; and
- ❖ Any license suspension or revocation imposed while participating in the program.

## CONSEQUENCES OF IGNITION INTERLOCK PROGRAM VIOLATIONS

Each time a driver has one or more violations during a monitoring period, they are issued a letter of notification, and their participation period is extended by one month. If there is a fourth monitoring period with a violation, the driver is removed from the program and the original suspension or revocation is imposed.

In FY2016, 1,153 drivers were removed from the Ignition Interlock Program. If a driver is removed from the program, they may re-enter the program for the duration initially assigned after a minimum suspension period of 30 days. In FY2016, 474 drivers re-entered the program after having been removed for noncompliance.

In 2015, there were 27,760 Ignition Interlock violations where a breath sample was collected and the value was greater than 0.025% BAC, and there were 3,769 Ignition Interlock violations where a breath sample was collected and the value was greater than 0.08% BAC. Each of these violations represents an individual attempting to drive while impaired and the Ignition Interlock device prevented that unsafe driver from starting the vehicle, saving lives.

## COMPLETING THE PROGRAM

Prior to October 1, 2016, a participant was considered to have successfully completed their Ignition Interlock assignment if they had accumulated three or fewer monitoring periods without a violation. Under Noah's Law, a participant is considered to have successfully completed the program only after the Administration receives certification from the service provider that there were no violations in the final three months of the participation period.

Once the driver has successfully completed their required participation period, including any extensions, the driver must bring their vehicle to their Ignition Interlock service center for a final data download. If no violations are noted, a letter of successful completion is generated by the MVA and mailed to the driver. The driver can then take this completion letter to any MVA branch office to have the Ignition Interlock restriction removed from their driver's license. After receiving a new, unrestricted license, the driver can have the Ignition Interlock device removed from their vehicle.

In FY2016, 4,901 drivers successfully completed one or more referrals and had no other active referrals after this completion date (through 10/15/16).

## CREDIT FOR SUCCESSFUL COMPLETION

Under the provisions of Noah's Law, a driver can receive credit for successful participation in the Ignition Interlock Program for an Administrative Per Se offense. If the driver is subsequently convicted of an impaired driving offense and is required to participate in Ignition Interlock, the driver is credited with the time served for the Administrative Per Se offense, if they successfully completed their referral. This offers additional incentive for drivers to voluntarily participate in lieu of serving an Administrative Per Se suspension.

## CITATION OUTCOMES AFTER IGNITION INTERLOCK PARTICIPATION

Table 9 identifies the type and frequency of citations that were issued to Ignition Interlock participants (enrolled 2010-2014) after their exit from the program, either upon successful completion or for removal for noncompliance. The most common violations were speeding, impaired driving and driving with a suspended or revoked license. Most violations were issued during the first 12 months (51.0%).

**TABLE 7: MOST COMMON CITATIONS ISSUED AFTER EXITING IGNITION INTERLOCK (ENROLLEES FROM CY2010-2014)**

Offense	Number of Citations Issued	Percentage of Citations
Speeding	5,642	16.3%
Impaired Driving	5,322	15.4%
Driving while Suspended or Revoked	3,878	11.2%
Safety Belt Use	1,910	5.5%
Red Light Violation	1,279	3.7%
Handheld Cell Phone	705	2.0%

The 5,322 impaired driving citations in Table 9 represent 2,245 arrests from 2010-2015. The timelines for those arrests are shown in Table 10. More than 45 percent of the arrests occurred in the first year after the driver exited the Ignition Interlock Program and 30 percent of the subsequent impaired driving arrests occurred between one and two years after the participant exited the program.

**TABLE 8: IMPAIRED DRIVING ARRESTS AFTER EXITING IGNITION INTERLOCK (ENROLLEES FROM CY2010-2014)**

Time to Arrest	Frequency	Percentage
Less than 1 month (0-30 days)	69	3.1%
1-6 months (31-180 days)	463	20.6%
6-12 months (181-365 days)	490	21.8%
1-2 years (366-730 days)	675	30.1%
2-4 years	501	22.3%
4-6 years	47	2.1%
Total	2,245	100.0%

## CONCLUSION

Maryland's Ignition Interlock Program continues to protect all who travel Maryland's roadways and provides drivers with an alternative to license suspension or revocation. The passing and implementation of Noah's Law is an important milestone in Maryland's efforts to reduce the tragic impact that impaired driving has on Maryland families. As the law is implemented, the Maryland Department of Transportation is monitoring and evaluating the impact of the law's provisions on driver behavior and choices and on the number of drunk driving crashes, injuries, and fatalities with the ultimate goal of reaching zero fatalities on Maryland roadways.

*“We remember Noah and we say ‘thank you.’ We thank Noah for his service, we thank him for his sacrifice, and we thank him, knowing that even in death, he will continue to save lives through the law which bears his name. We are committed to protecting all Marylanders by implementing the law and continuing to look for new and more effective ways to combat impaired driving.”*

– Governor Larry Hogan

