
MARYLAND IGNITION INTERLOCK LAW UPDATE OCTOBER 2019

Ignition Interlock Devices Must Now Include Camera

Effective October 1, 2019, Chapter 66 of the Maryland General Assembly 2019 Session, Transportation – Ignition Interlock System – Definition, requires that cameras be integrated in all newly installed ignition interlock devices. The camera will capture a still image of the person taking a breath test (it will not record sound or video) at these times:

- When a breath sample is collected when the vehicle is started;
- When a breath sample is collected during a rolling retest; and
- If tampering is detected.

Participants will receive instructions from their Service Provider on how to use the device when it is installed. Images captured by ignition interlock devices will be used by MDOT MVA to ensure program participants comply with program requirements. It is a violation of Maryland law for any person to provide a breath sample for a program participant in order to circumvent an ignition-interlock device.

Reviewing camera images will allow the MDOT MVA to confirm who provided the breath sample, to help determine if a violation should be assessed or removed. To ensure that the person taking the breath test can be clearly identified in each image, it is now a violation to obstruct or alter the camera view or obscure the image of the driver to avoid recognition. All current program requirements remain in effect.

After review of images by the case manager and supervisor, if there is clear evidence that a failed test was taken by someone other than the participant, a violation will not be assessed. However, if the case manager is unable to clearly identify the person taking a required breath test, a violation will still be assessed.

Customers currently in the Ignition Interlock Program who had their devices installed prior to October 1, 2019 will not be required to have a new device with a camera installed, unless:

- They acquire a different vehicle which requires that a new device be installed;
- Their current device fails and needs to be replaced (this does not apply if only the handset needs to be replaced); or
- The MDOT MVA removes the participant from the program and, after 30 days, they choose to re-enroll.

If you have further questions, please refer to the Frequently Asked Questions below, visit the MDOT MVA website at www.mva.maryland.gov or call the MDOT MVA's Ignition Interlock Unit at 410-762-5088.

Ignition Interlock Cameras - Frequently Asked Questions

Q: When are the pictures taken?

A: The camera captures an image when the device is collecting a required breath sample, either when the vehicle is started or during a rolling re-test. It will also capture an image when an attempt to tamper with or disable the device is detected.

Q: Does the camera record sound and video?

A: No. The camera captures still images only. It does not have the capability to capture sound or video.

Q: Where is the camera mounted in the vehicle?

A: The camera equipped interlock device is installed in a participant's vehicle on the left side of the windshield near the "A" pillar. The camera must be placed where there are no obstructions and positioned so that a clear picture of the participant can be taken, and where the camera does not obstruct the driver's clear view of the road.

Q: Who has access to my pictures?

A: MDOT MVA Ignition Interlock Program staff have access to your images when your data is sent to MDOT MVA after each monthly calibration and service visit to your Service Provider. If you are being monitored by the Drunk Driving Monitoring Program, your DDMP case manager will have access to your photos.

Q: Can the pictures be used to remove violations?

A: For violations where the identity of the person providing the breath sample is contested, the images taken at the time of the test will be reviewed and will help determine what action is appropriate.

Q: Will I be able to get copies of photos if I have to go to court?

A: Yes. You can request copies of your data at any time from MVA by completing a DR-057 Request for Driving Record (available on the MDOT MVA website at http://www.mva.maryland.gov/_resources/docs/DR-057.pdf). Check the "Other" box on the form and specify that you want copies of the photos in your ignition interlock case file. The cost will be \$9.00 for a non-certified record and \$12.00 for a certified record.

Q: Does it cost more to have an ignition interlock device installed with a camera?

A: The cost of installation for ignition Interlock devices and monthly monitoring fees are set by each Service Provider and vary among providers. MDOT MVA does not regulate the fees charged by Service Providers. To compare devices, services and fees for approved Ignition Interlock Service Providers, see <http://www.mva.maryland.gov/about-mva/info/26200/interlock.htm>