



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

Ignition Interlock Update

April 2014

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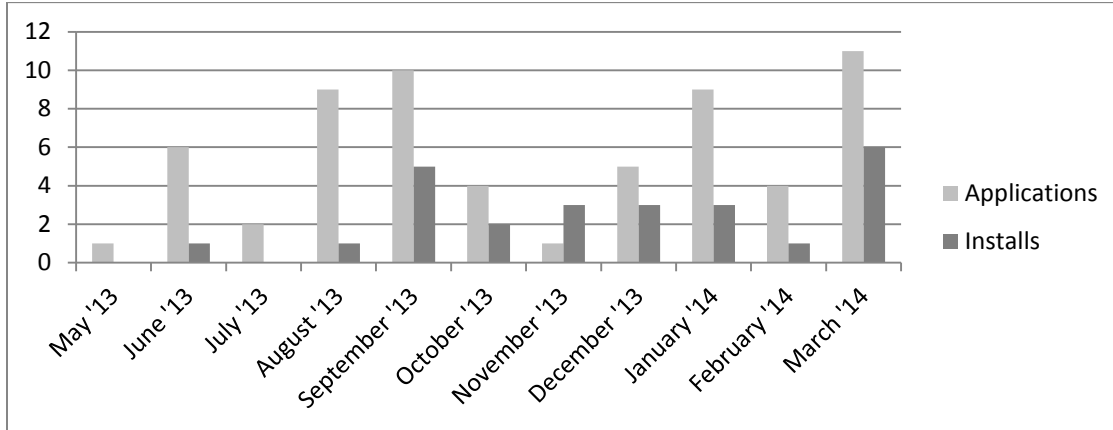
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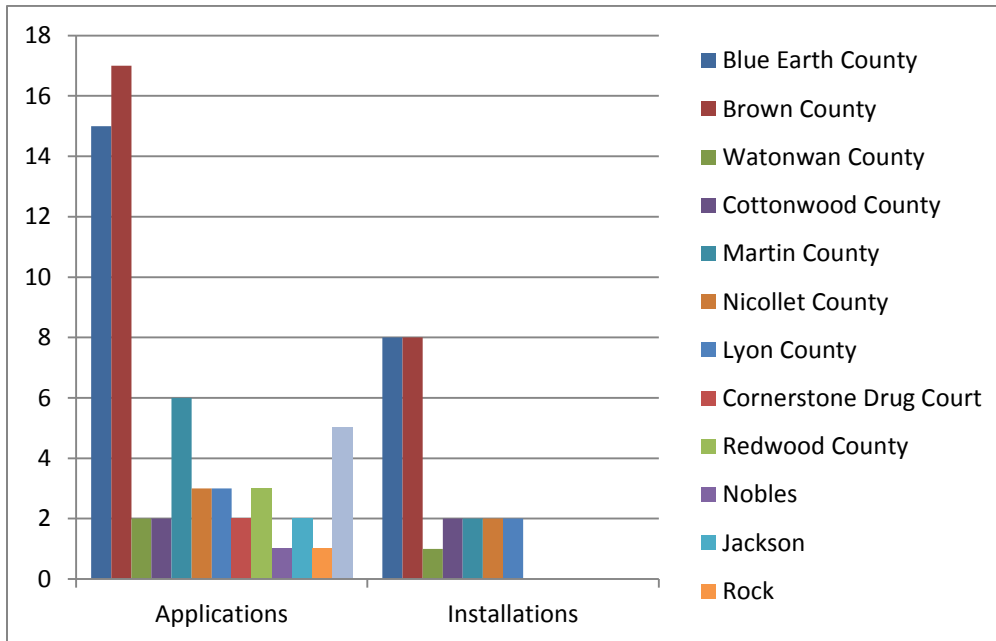
Fifth Judicial District Ignition Interlock Program Statistics

The Fifth District's Ignition Interlock Program had its highest number of applications and installations yet in March

Applications & Installations by Month



Applications & Installs by County



License Status of Eligible Applicants



License status among those who have applied for assistance to the program but have not installed the device yet

Prior License Status for Installations



Of those that have installed the device, this chart shows what their license status was prior to installing the device

Eligibility Tier of Installed Offenders



All ignition interlock program participants have installation paid for by the grant

Tier 1: income is below 115% of Federal Poverty Guidelines: 90% of monthly service fee paid by District for up to one year (income eligibility review at 6 months)

Tier 2: income is below 187.5% of Federal Poverty Guidelines: 50% of monthly service fee paid by District for up to one year

Tier 3: income is below 400% of Federal Poverty Guidelines: 25% of monthly service fee paid by District for up to one year

Average days from application to the Fifth Judicial District to installation of ignition interlock

65 days	Cancelled license
41 days	Revoked license
38 days	Valid license

Frequently Asked Questions: insurance & interlock device liability

Insurance: Progressive is the only insurance company we are aware of that does not charge for risk if ignition interlock is installed in the vehicle. The company recognizes the decreased risk of a driver with a history of driving under the influence, if such a device is installed

Liability: Recently we were asked who is liable for a device if the device were stolen or damaged in an accident, and we were not sure, but looked into it. Staff at Intoxalock have assured us that insurance companies have covered the loss of interlock devices in these instances. They have a department dedicated to working with insurance companies on just such claims.

As of 7/1/14 Ignition Interlock available for Criminal Vehicular Operation without Fatality offenders

As of 7/1/14 those with a criminal vehicular operation conviction (CVO) without a fatality will be able to install ignition interlock to drive legally. A technical fix is expected to pass in the legislature soon that will allow drivers with licenses already cancelled for multiple DWI offenses that are also cited with a CVO without fatality to install ignition interlock to regain driving privileges. Cancelled-IPS participants with a CVO without fatality will be restricted to a limited license with ignition interlock for the first year.

At this time those convicted of CVO with a fatality are not able to install ignition interlock to regain driving privileges. They continue to have one year of hard revocation followed by nine years of a limited license. DPS plans address this incongruity in the law again in the next legislative session.

Proposed DWI Law Review Recommendations for the next legislative session

Taken from information released by DPS March 13, 2014:

The proposed changes in Minnesota DWI law will increase safe and legal driving, reduce DWI recidivism and improve compliance, enforcement and administration by:

- ✓ Focusing on DWI countermeasures that work

- ✓ Strengthening penalties to increase compliance with DWI law
- ✓ Creating a more consistent law with more efficient and effective processes

Proposed changes include:

- **Impound license plates at the DWI event:** allow law enforcement to impound plates based on probable cause of DWI. Issues a vehicle registration permit for 14 days (for breath tests/test refusals) or 45 days (for blood or urine tests). This has an immediate impact and makes it easier for officers to spot illegal drivers.
- Promote use of ignition interlock and reduce policies not associated with increased public safety.
 - **No longer require special registration plates (aka “Whiskey Plates”)** for drivers using ignition interlock
 - **Eliminate the vehicle forfeiture law**
 - **Eliminate limited licensing** for drivers cancelled as inimical to public safety if using ignition interlock
- **Increase the penalty for a conviction of “driving after revocation” or “driving without an ignition interlock device”** from misdemeanor to gross misdemeanor. Most people do not comply with current law, threatening public safety.
- **No longer require a DWI test;** it does not enhance safety and courts require more intensive education.
- **Allow all drivers to pay license reinstatement fees in two equal payments,** plus a surcharge (one payment prior to ignition interlock installment and one payment a year later). High fees reduce compliance.
- Better align administrative countermeasures and criminal penalties. Inconsistencies complicate compliance and enforcement.
 - **Revise the alcohol concentration level to twice the legal limit for enhanced criminal penalties of DWI,** so that criminal penalties and administrative countermeasures are both enhanced at the 0.16 level.
 - Increase the temporary driving period after revocation from seven days to 14 days so that an offender has 14 days to obtain a legal license and a vehicle registration.

Why we regularly check ignition interlock device logs: “Woman accused of tricking ignition interlock surrenders to police”

[KIROTV.COM TACOMA, Wash. –](https://www.kiro.com/story/news/crime/2023/01/16/woman-accused-tricking-ignition-interlock-surrenders-to-police/10811170002)

A woman accused of tricking an ignition interlock installed in her car and driving drunk with her 3-year-old daughter in the back seat surrendered to police Monday night.

Jordin Margraves, 23, was featured on the Tacoma Pierce County Crime Stoppers website after the interlock device photographed her failing a blood alcohol test and then handing the device to her boyfriend who blew into it for her.

The pictures show Margraves 3-year-old daughter strapped into a car seat behind her.

“That’s where we became really concerned and wanted to get her off the street,” said Ruston Police Chief Jeremy Kunkel.

Margraves had a drunk-driving conviction from September 2013 after she was stopped and arrested while driving past a sports bar in Ruston.

As part of her sentence, Margraves must use the ignition interlock device to prevent her from driving after she has consumed any alcohol.

The interlock prevents the engine from starting if the driver fails. The device also records the test to verify the person driving is the same person who blows into the machine.

The pictures clearly show a man police said helped Margraves by blowing into the interlock device and now he too could face criminal charges. “We have since identified him and spoken to him and are referring charges to the proper court,” Kunkel said.

Margraves was booked into the Pierce County jail with bail set at \$75,000. She is due to appear in Ruston Municipal Court on April 10.

On Minnesota's roads, this year is on a deadly pace

[Article by: JIM ADAMS, Star Tribune Updated: February 17, 2014 - 7:43 PM](#)

The new year is off to a deadly start with 31 traffic fatalities through Feb. 12, a jump of 10 over a year ago, state officials said Sunday.

Primary culprits behind the preliminary data released by the state Office of Traffic Safety are the lack of seat-belt use in 12 of the 31 road deaths, and another seven deaths linked to speeding.

Four other crashes were attributed to alcohol use, said Dawn Duffy, spokeswoman for the state Public Safety Department.

Although adverse weather conditions were cited only in four crashes, “The weather magnifies the need to wear seat belts and drive at safe speeds regardless of conditions,” said Lt. Eric Roeske, State Patrol spokesman.

“It’s a significant increase from last year,” he said, “but some very simple behaviors can reverse that trend: Wearing seat belts, slowing down and not drinking and driving are still the primary factors we see in common in fatal crashes that are investigated.”

Roeske said the increase of 10 fatal crashes so far this year is a concern, especially since the 21 fatalities in the same period of 2013 was a jump from 2012. However, safer driving behavior can improve results, he said, noting that the 385 deaths estimated for 2013 will be down from 395 in 2012.

Fatality data from 2013 are still being collected from law enforcement agencies, and 378 traffic deaths have been reported so far, Duffy said.

As of Sunday afternoon, the most recent fatalities reported by the patrol involved two crashes Saturday. One involved a 22-year-old driver who was suspected of using alcohol and went off the road in New Ulm. A belted, 27-year-old passenger was killed after the vehicle rolled and hit a light post.

The other fatality involved a 60-year-old driver who wore a seat belt and appeared to have suffered a medical problem before he went off the road near Grand Rapids.