

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 August 2015, there were 10,247 interlocks installed in Florida.

| How soon can an ignition interlock be installed? | | Duration on ignition interlock |
|--|--|--------------------------------|
| First offense .08 to .14 BAC | 30 days after conviction | 6 months |
| First offense .15 BAC or more | 30 days after conviction | 6 months |
| Second offense | One year after conviction | 1 year |
| First refusal | Interlocks not available for first-time refusals | |

How many times an interlock stopped a drunk driving start (.08 BAC or more) in Florida?

68,236

From Dec. 1, 2006 to Dec. 1 2016

Day-for-Day Credit for early installation: No.

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. Such information is sent to DUI programs. A violation includes any of the following: 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) Any refusal to submit to a required rolling retest.

Indigent Fund: Yes. If the 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.

Interlock user fees (not including leasing costs of the device): Must pay a one-time \$12 fee to the DMV. A user must also pay fees to attend a DUI school for each of the following:

- 1) \$25: First violation appointment fee
- 2) \$55: Second violation appointment fee (Case Management Plan)
- 3) \$45: Monthly fee for IID monitoring appointments scheduled after the initial appointment.
- 4) \$55: Third violation appointment fee (refer client to treatment provider). Additional fee of \$5 if DRI is older than 6 months.
- 5) \$25: First violation and monthly missed appointment Fee
- 6) \$55: Second and third violation Missed appointment Fee

| Role of Court and Driver's License Agency Relating to Interlocks | |
|--|---------------------------|
| Court | Driver's License Agency |
| Judge orders interlock. | Issues interlock license. |

Does the state advertise the interlock law? No.

Do plea agreements or reduction in the original DUI charge include the requirement of an interlock? No.

Resources: Florida State Statutes 316.1937(2)(d).

Florida Department of Highway Safety Motor Vehicles: <http://flhsmv.gov/ddl/IID.html>

How to improve Florida's ignition interlock law?

- ✓ Enact an all-offender ignition interlock law.
- ✓ Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.
- ✓ Advertise the ignition interlock law during twice yearly federally funded crackdowns on drunk driving ([Drive Sober or Get Pulled Over](#)).
- ✓ Require ignition interlocks for refusals.
- ✓ Require interlocks in all plea agreements or reductions in DUI charges.