

Texas

Effective September 2015, any arrested drunk driver can receive an interlock occupational license following arrest or choose not to drive. Since September 2005, judges have been required to order ignition interlocks for all repeat offenders or first-time offenders with a BAC of .15 or greater as a condition of probation. As of August 2015, there were 43,789 interlocks installed in Texas.

How soon can ignition interlock be installed?		Duration on ignition interlock
First offense .08 to .14 BAC	Upon revocation	90 days to 1 year
First offense .15 BAC or more	Upon revocation	1 year
Second offense	Unclear	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 Texas?

244,991

From Dec. 1, 2006 to Dec. 1, 2016

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

Compliance based removal? No.

Indigent Fund: No. if the court determines the offender is unable to pay for the device, the court may impose a reasonable payment schedule not to extend beyond the first anniversary of the date of installation.

Interlock user fees (not including leasing costs of the device): Must pay \$10 to the DMV for an interlock restricted license.

Role of Court and Driver's License Agency Relating to Interlocks	
Court	Driver's License Agency
Judges orders interlocks as a condition of bond or probation	Issues occupational license that is interlock restricted following arrest to any first-time offender who seeks to drive during the administrative license suspension period following arrest

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.

How to improve Texas' ignition interlock law?

- ✓ Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).
- ✓ 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.
- ✓ Create an indigent fund so poor interlock users have access to these devices. This fund should be paid for by interlock vendors or non-indigent interlock users.
- ✓ Require interlocks in all plea agreements or reductions in DUI charges.

Resources: Texas Department of Public Safety: <http://www.txdps.state.tx.us/rsd/ignitionInterlock/>
<http://www.dps.texas.gov/internetforms/Forms/VIE-35.pdf>

Texas Penal Code 521.246 <http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.521.htm#521.344>

Texas Penal Code 49.01: <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.49.htm>

Texas Code of Criminal Procedure 42.12: <http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.42.htm>

HB 2246 of 2015: <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=84R&Bill=HB2246>