

Nebraska

Nebraska’s all-offender ignition interlock law has been in effect since January 1, 2009. As of December 2017, there were 4,213 interlocks installed in Nebraska. Between 2006 to 2018, interlocks stopped 34,506 attempts to drive drunk, including 3,873 in 2018.

Why MADD calls the law all-offender? We call it all-offender as judges must order the use of interlocks for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon arrest	At least 6 months	<i>Eliminate any waiting periods for repeat/refusals before installation of an interlock</i>
Second offense	45 days after revocation	At least 1 year	
First refusal	90 days after revocation	1 year	

Compliance Based Removal?

No

However, any person who tampers with or circumvents an interlock installed or who operates a motor vehicle not equipped with a interlock is in violation of the purposes for operation indicated on the interlock restricted license shall, in addition to any possible criminal charges, have his or her revocation period and interlock restricted license extended for six months beyond the end of the original revocation period.

Legislative Recommendation

Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

If the DMV has determined the person to be indigent and incapable of paying for the cost of installation, removal, or maintenance of the interlock, such costs shall be paid out of the DMV Ignition Interlock Fund if such funds are available. A person is determined indigent if: 1) meets 150 percent or less of the federal poverty guidelines. DMV may also consider income, expenses, and assets as reported on the application. Applicants shall provide documentation of current income with a pay stub, most recent W2, most recent tax return, statement from employer with the application.

Interlock user fees (not including leasing costs of the device)

Yes

A fee of 47.50 paid to the Examiner of County Treasurer.