

New York

New York's all-offender ignition interlock law went into effect August 15, 2010. As of December 2017, there were 8,775 interlocks installed in New York. Between 2006 to 2018, interlocks stopped 97,787 attempts to drive drunk, including 6,118 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 | 1 year | <i>Allow for interlock use for refusals.</i> |
| Second offense | Upon arrest | 1 year | |
| First refusal | Interlocks not available for first-time refusals | | |
| Compliance Based Removal? | | | Yes |
| Probation officers and monitoring authorities have the capability of taking the offender back to court and requesting an extension based on their behavior while on an interlock | | | |
| Legislative Recommendation | <i>Add a compliance based removal component to the law through the Department of Motor Vehicles (a user must prove a certain period of sober driving before exiting the interlock program).</i> | | |
| 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 | <i>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.</i> | | |
| Indigent Program? | | | Yes |
| Any person who claims financial inability to pay for the device shall submit in advance of sentencing three copies of his or her financial disclosure report, to the sentencing court which shall distribute copies to the district attorney and defense counsel. Interlock companies shall take into consideration and plan a 10% waiver of the fees by sentencing courts due to operator unaffordability. | | | |
| Interlock user fees (not including leasing costs of the device) | | | None |