Van H. Wanggaard
Wisconsin State Senator

TESTIMONY ON SENATE BILL 248

Thank you, committee members, for attending today's hearing on Senate Bill 248, which strengthens Wisconsin's Drunk Driving and Ignition Interlock laws. Ignition interlock devices are proven tools to reduce and prevent drunk driving. Last year, the Centers for Disease Control found a 70% reduction in drunk driving thanks to the use of IIDs.

You should have before you a draft of a substitute amendment that is the result of months of conversations between my office, anti-drunk driving advocates, and the Department of Transportation. Although the final substitute amendment may have some minor additional changes, I feel confident that we are close to a final version.

In Wisconsin, a judge is required to order the installation of an ignition interlock device for repeat drunk drivers, drivers with a blood alcohol content above 0.15%, and persons who refuse a breathalyzer. Generally, this restriction is in place for one year.

In addition, these drivers have their driving privileges revoked, and they cannot apply for an occupational license for 30 or 45 days, depending on the circumstance. Under the Substitute Amendment, an individual may obtain his or her occupational license once an ignition interlock device has been installed on their vehicle.

The Substitute Amendment also contains strict penalties for attempting to circumvent an IID. If a person tries to drive a vehicle with a Blood Alcohol Level of 0.02 or higher, or tampers with, removes, or fails to service the IID, or otherwise tries to circumvent the interlock, the IID restriction will be automatically extended for 180 days.

In addition to the interlock extension, the penalties for tampering with an Ignition Interlock Devices are increased to fines of $350 to $1,100 and 5 days to 6 months in jail.

A lot of the language in the substitute amendment defines the process by which a driver can appeal their violation, and how violations are reported to and enforced by DOT.

I hope you will join me in making our roads safer by supporting this bill.

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State of Wisconsin
2025 - 2026 LEGISLATURE

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE SUBSTITUTE AMENDMENT ,

TO SENATE BILL 248

AN ACT ***to repeal*** 347.50 (1t); ***to renumber and amend*** 347.413; ***to amend*** 343.10 (2) (b), 343.30 (1q) (b) 3., 343.30 (1q) (b) 4., 343.301 (1g) (am) 1., 343.301 (3) (a), 343.305 (10) (b) 2., 347.50 (1) and 347.50 (1s); ***to create*** 343.30 (1qm), 343.301 (6), 343.301 (7), 343.301 (8), 343.301 (9) and 343.302 (2) of the statutes; **relating to:** license eligibility and restriction extensions relating to ignition interlock devices and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, if a person is convicted of a second or subsequent offense related to operating a motor vehicle while under the influence of an intoxicant or other drug, with a prohibited alcohol concentration, or with a measurable amount of a controlled substance in their blood (OWI offense), a court must order the person's operating privilege restricted to operating vehicles that are equipped with an ignition interlock device (IID). The restriction begins on the date of the IID

order and lasts for at least one year, but no longer than the maximum authorized operating privilege revocation period.

Under the bill, the restriction of a person's operating privilege under an IID order must be extended by 180 days for each occurrence of any of the following events that occurs in the second half of the restriction period: 1) tampering with or attempting to circumvent the IID, 2) removing the IID without authorization, 3) failure to service an IID that results in the IID entering lockout mode, 4) any attempt to start a motor vehicle with a breath alcohol concentration of 0.020 or more, 5) failure to take a random breath test unless the motor vehicle was not occupied by the person at the time, or 6) failure to pass a confirmation retest. The bill requires an IID service provider, upon final download of data from an IID, to determine if a person's IID order should be extended and to notify the Department of Transportation.

Under current law, if a court must order that a person's motor vehicle operating privilege be restricted to operating vehicles that are equipped with an IID, the restriction is specific to the operation of "Class D" vehicles (most noncommercial motor vehicles other than Type 1 motorcycles). The bill provides that a court issuing an IID order applicable to a person must also order that the person is prohibited from operating motorcycles while the order is in effect.

Under current law, a person whose operating privilege is administratively revoked for a first offense of refusing a test may apply for an occupational license after 30 days. The bill eliminates the 30-day waiting period and provides that a person may apply for an occupational license upon installation of an IID on any motor vehicle that the person operates.

Under current law, when a person is convicted of an OWI offense, the convicting court orders the person's operating privilege be revoked. The length of time for a court-ordered revocation increases with each subsequent OWI offense, as does the waiting period before the person may apply for an occupational license. In general, a person with prior OWI offenses may apply for an occupational license after the first 45 days of the revocation period. The bill eliminates the 45-day waiting period and provides that a person may apply for an occupational license upon installation of an IID on each motor vehicle that the person operates.

Current law prohibits a person from circumventing the operation of an IID installed under a court order, failing to have an IID installed as ordered by a court, or violating certain court orders restricting a person's operating privilege. Violation of any of these prohibitions is punishable by a fine of between $150 and $600 or imprisonment for up to six months, or both, or, for a second or subsequent offense, a fine of between $300 and $1,000 or imprisonment for up to six months, or both. In addition, a person subject to an IID order may have that order extended by 180 days for a violation of any of these prohibitions.

Under the bill, the penalty for a violation of any of these provisions is increased to a fine of between $350 and $1,100 and imprisonment for between five days and six months. In addition, the operating privilege of a person violating this provision must be revoked for between one year and 18 months, and a person

subject to an IID order may have that order extended by six months. A person whose operating privilege is revoked may apply for an occupational license.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.10 (2) (b) of the statutes is amended to read:

343.10 **(2)** (b) No occupational license may permit the operation of any motor vehicles that the person is prohibited from operating under an order under s. 343.301 (1g) (am) 1. or for which the applicant did not hold valid authorization at the time of revocation or suspension of the person's license or operating privilege.

SECTION 2. 343.30 (1q) (b) 3. of the statutes is amended to read:

343.30 **(1q)** (b) 3. Except as provided in sub. (1r) or subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1) within a 10-year period, equals 2, the court shall revoke the person's operating privilege for not less than one year nor more than 18 months. ~~After the first 45 days of the revocation period has elapsed, the~~ The person is eligible for an occupational license under s. 343.10 if he or she has completed the assessment ~~and,~~ is complying with the driver safety plan ordered under par. (c), and has installed an ignition interlock device on each motor vehicle that the person operates.

SECTION 3. 343.30 (1q) (b) 4. of the statutes is amended to read:

343.30 **(1q)** (b) 4. Except as provided in sub. (1r) or subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or more, the court shall revoke the person's operating privilege for not

less than 2 years nor more than 3 years. ~~After the first 45 days of the revocation period has elapsed, the~~ The person is eligible for an occupational license under s. 343.10 if he or she has completed the assessment ~~and,~~ is complying with the driver safety plan ordered under par. (c), and has installed an ignition interlock device on each motor vehicle that the person operates.

SECTION 4. 343.30 (1qm) of the statutes is created to read:

343.30 **(1qm)** The court shall revoke the operating privilege of a person convicted of violating s. 343.302 (1) for not less than one year nor more than 18 months. The person is eligible for an occupational license under s. 343.10.

SECTION 5. 343.301 (1g) (am) 1. of the statutes is amended to read:

343.301 **(1g)** (am) 1. That the person's operating privilege for the operation of "Class D" vehicles be restricted to operating vehicles that are equipped with an ignition interlock device, that the person be prohibited from operating "Class M" vehicles, and, except as provided in sub. (1m), ~~shall order~~ that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device.

SECTION 6. 343.301 (3) (a) of the statutes is amended to read:

343.301 **(3)** (a) Except as provided in par. (b), if the court enters an order under sub. (1g), the person shall be liable for the reasonable cost of equipping and maintaining any ignition interlock device installed on his or her motor vehicle. If the person removes the ignition interlock device without providing documentation from the department indicating that their operating privilege has been restored, the person shall be responsible for the costs of reinstallation of an ignition interlock device.

SECTION 7. 343.301 (6) of the statutes is created to read:

343.301 **(6)** (a) In this subsection, "violation" means a breath sample that is above the alcohol setpoint of 0.020 grams of alcohol per 210 liters of breath or failure to provide a passing breath sample within the retest window. "Violation" does not include a detectable breath sample that passes a test immediately following a failed test or in response to a bypass or circumvention attempt.

(b) Notwithstanding sub. (2m) (a) and (b), and subject to par. (c), the restriction of a person's operating privilege under an order under sub. (1g) (am) 1. shall be extended by 180 days for each occurrence of any of the following events that occurs in the 2nd half of the period specified under sub. (2m):

1. Tampering with or attempting to circumvent an ignition interlock device.

2. Removing an ignition interlock device without authorization.

3. Failure to service an ignition interlock device that results in the ignition interlock device entering lockout mode.

4. Any attempt to start a motor vehicle with a breath alcohol concentration of 0.020 or more.

5. Failure to take a random breath test unless a review of the digital image confirms that the motor vehicle was not occupied by the person at the time of the missed test.

6. Failure to pass a confirmation retest.

(c) The department shall determine that a person did not commit a violation upon receipt of documentation or information, provided by the person's ignition interlock device provider, indicating that a reported violation resulted from a

malfunction of the ignition interlock device for which the person was not responsible.

(d) The department shall develop an electronic process by which an approved ignition interlock device provider may identify the start date of the restriction of a person's operating privilege under sub. (2m) and to provide to the department real-time notice of usage and violations and a final compliance report.

SECTION 8. 343.301 (7) of the statutes is created to read:

343.301 **(7)** A person to whom an order is entered under sub. (1g) shall provide to the ignition interlock device service provider all of the following:

(a) The county in which the person was convicted and the person's case number.

(b) The start and end dates for the ignition interlock device requirement.

SECTION 9. 343.301 (8) of the statutes is created to read:

343.301 **(8)** An ignition interlock device shall conduct a retest after each failed or skipped test. If a person fails or skips a retest, the person is guilty of an ignition interlock device violation.

SECTION 10. 343.301 (9) of the statutes is created to read:

343.301 **(9)** (a) When a person to whom an order is entered under sub. (1g) reaches the date on which the order is set to end, the person shall return to the ignition interlock device service provider for final service, data download, and compliance-based review. The service provider shall complete the compliance-based review no later than 15 business days after the data is downloaded from the ignition interlock device, except that a service provider may not begin the compliance-based review until all information required under sub. (7) is provided.

(b) If a service provider conducts a compliance-based review for a person to whom an order is entered under sub. (1g) and determines that no events specified under sub. (6) (b) have occurred, the service provider shall notify the department that the person has successfully completed the term of their ignition interlock device order. If the service provider determines that an event specified under sub. (6) (b) has occurred, the service provider shall notify the department.

(c) Upon receipt of notice from a service provider that an event specified under sub. (6) (b) has occurred that requires extension of a person's ignition interlock device order, the department shall extend the person's order as required under sub. (6) (b), subject to par. (d), and shall notify the person in writing.

(d) A person who receives notice under par. (c) of an extension of their ignition interlock device order may, within 15 business days of the date of the notice, provide the service provider with a written rebuttal of the event that the service provider determines requires an extension. The service provider shall, within 15 business days of the rebuttal, conduct a review of the person's rebuttal and notify the department and the person of the final determination. If the original determination is confirmed, the department's extension of the ignition interlock device order shall be upheld. If the original determination is reversed, the service provider shall correct the person's record and the department shall reverse the extension of the ignition interlock device order.

SECTION 11. 343.302 (2) of the statutes is created to read:

343.302 **(2)** (a) Any person violating sub. (1) shall be fined not less than $350 nor more than $1,100 and imprisoned for not less than 5 days nor more than 6 months.

(b) In addition to the penalty under par. (a), if a person who is subject to an order under s. 343.301 violates sub. (1), the court shall extend the order restricting the person's operating privilege under s. 343.301 (1g) or (2m) for 180 days for each violation.

SECTION 12. 343.305 (10) (b) 2. of the statutes is amended to read:

343.305 **(10)** (b) 2. Except as provided in subd. 3., 4., or 4m., for the first improper refusal, the court shall revoke the person's operating privilege for one year. ~~After the first 30 days of the revocation period~~ Upon installation of an ignition interlock device on any motor vehicle that the person operates, the person is eligible for an occupational license under s. 343.10.

SECTION 13. 347.413 of the statutes is renumbered 343.302, and 343.302 (1), as renumbered, is amended to read:

343.302 **(1)** No person may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device installed in response to the court order under s. 346.65 (6), 1999 stats., or s. 343.301 (1), 2007 stats., or s. 343.301 (1g), or fail to have the ignition interlock device installed as ordered by the court, or violate a court order under s. 343.301 (1g) (am) 1. or a court order restricting the person's operating privilege under s. 343.301 (1g) (am) 2., or violate an ignition interlock device restriction under s. 343.10 (5) (a) 3. This subsection does not apply to the removal or repair of an ignition interlock device ~~upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department~~ by a service provider.

SECTION 14. 347.50 (1) of the statutes is amended to read:

347.50 **(1)** Any person violating ss. 347.35 to 347.49, except s. 347.385 (5), ~~s. 347.413 (1)~~ or s. 347.415 (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.475 or s. 347.48 (2m) or (4) or s. 347.489, may be required to forfeit not less than $10 nor more than $200.

SECTION 15. 347.50 (1s) of the statutes is amended to read:

347.50 **(1s)** Any person violating s. ~~347.413 (1) or~~ 347.417 (1) may be fined not less than $150 nor more than $600, or may be imprisoned for not more than 6 months, or both, for the first offense. For a 2nd or subsequent conviction within 5 years, the person may be fined not less than $300 nor more than $1,000, or imprisoned for not more than 6 months, or both.

SECTION 16. 347.50 (1t) of the statutes is repealed.

(END)

JOHN SPIROS
State Representative • 86th Assembly District

Senate Bill 248 Testimony
November 12, 2025

Thank you, Chairman Wanggaard and members of the Senate Judiciary and Public Safety Committee, for allowing me to provide testimony on Senate Bill (SB) 248. I also want to thank the victim advocates who have come here today to share their story and support this effort.

SB 248 is commonsense measure to make Wisconsin's roads safer and our ignition interlock laws stronger. Every year in Wisconsin, hundreds of families lose loved ones to drunk driving crashes — tragedies that are entirely preventable. In 2023 alone, 182 people were killed in alcohol-related crashes, representing nearly one-third of all traffic fatalities in our state.

An ignition interlock device (IID) is one of the most effective tools we have to prevent these deaths. These devices prevent a vehicle from starting if alcohol is detected on the driver's breath. According to the federal Centers for Disease Control and Prevention, IIDs reduce repeat drunk driving offenses by as much as 70 percent while installed.

The Substitute Amendment to SB 248 includes changes to make Wisconsin's interlock program work better. First, it eliminates the waiting periods that force some offenders to sit out 30 or 45 days before they can legally drive with an interlock. Research shows that up to 75 percent of people with suspended licenses drive anyway. Let's make sure if someone is driving, it's legal and sober, with an interlock in place.

Second, the substitute creates a compliance-based removal system, so that the device isn't removed until a participant has demonstrated responsible behavior — no tampering, no failed tests, and no attempts to drive after drinking. This is a proven best practice recommended by the National Highway Traffic Safety Administration (NHTSA) and the American Association of Motor Vehicle Administrators (AAMVA). 33 states have similar compliance-based removal laws.

The Substitute Amendment contains strict penalties for those attempting to circumvent an IID with an automatic IID restriction extension of 180 days. In addition, the penalties for tampering with IID are increased to fines of $350 to $1,100 and 5 days to 6 months in jail.

Together, these changes strengthen accountability, reduce recidivism, and save lives — without adding costs or bureaucracy. This is a bipartisan, data-driven bill that puts safety first. I respectfully ask for your support for Senate Bill 248.

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BRAD PFAFF
STATE SENATOR

Senate Committee on Judiciary and Public Safety
Senate Bill 248
November 12, 2025

Good afternoon, Chairman Wanggaard and members of the committee,

I am here today to urge your support for Senate Bill 248 (SB 248) and for strengthening Wisconsin's Ignition Interlock Device (IID) program.

Impaired driving remains one of the most significant threats to public safety on our roads. While there is no single solution to this complex problem, Ignition Interlock Devices are a proven, technology-based tool that makes a quantifiable difference.

An IID is simple and effective: it prevents a vehicle from starting if the driver has alcohol on their breath. The data from our own state is compelling. In each of the last three years, IIDs have prevented between 20,000 and 28,000 potential drunk driving incidents in Wisconsin alone. Nationally, the CDC has found that these devices reduce repeat offenses by 70%. This is a tool that demonstrably separates drinking from driving and keeps our communities safer.

SB 248 improves upon our IID program in two important ways. First, the bill creates clear penalties for individuals who attempt to bypass this life-saving technology. By imposing a 180-day extension for tampering, attempting to circumvent, or unauthorized removal of an IID—as well as for repeated failures—this bill sends a clear message: non-compliance will not be tolerated. These measures are critical for ensuring the integrity of the IID program.

Second, the bill provides a powerful incentive for compliance by modifying the requirements for an occupational license. By allowing an individual whose license is revoked—either for a test refusal or as a repeat offender—to apply for an occupational license immediately upon installation of an IID, this bill achieves two vital goals.

It allows the individual to remain employed, support their family, and stay productive—which is a key component of successful rehabilitation. At the same time, it ensures public safety by guaranteeing that 100% of their driving during this period is monitored by an IID. This is a common-sense "win-win" that promotes responsibility while protecting the public.

This balanced approach of "incentives for compliance, penalties for avoidance" is why this bill has earned a broad and diverse coalition of support, including AAA, Mothers Against Drunk Driving (MADD), the National Safety Council, and the Distilled Spirits Council.

Thank you for your time and consideration, and I hope you will join us in supporting this important legislation to strengthen a program that is already saving lives in Wisconsin.

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Written Testimony of Nick Jarmusz
Director of Public Affairs for AAA – The Auto Club Group
Wisconsin Senate Committee on Judiciary and Public Safety
Hearing on SB 248 – November 12, 2025

Thank you, Chairman Wanggaard for holding today's hearing on SB 248 and for sponsoring this important piece of legislation.

My name is Nick Jarmusz, and I am the director of public affairs for AAA—The Auto Club Group. The Auto Club Group provides roadside assistance and other travel-related services to over seven hundred thousand (700,000) AAA members in the state of Wisconsin. The safety of those members and other road users is our top priority as an organization, and the persistent danger of alcohol impaired driving is one of our biggest concerns in this state.

Since 2020, there have been an average of 6,156 alcohol related crashes, causing 3,100 injuries and 162 fatalities on Wisconsin roadways each year. This means nearly one-third of all statewide traffic fatalities were attributable to drinking and driving. Wisconsin has made significant progress since the 1990's when the number of annual fatalities from alcohol-impaired driving was nearly twice as high. But there is still much work that can and *must* be done if we are to reach the only acceptable number: 0.

It is also important to note that impaired driving is an underlying factor for other highly dangerous traffic offenses as well, like extreme speeding, aggressive driving, and wrong-way driving. AAA research shows that the odds of being a wrong-way driver increase as blood alcohol content (BAC) levels rise. This study found 60% of wrong-way drivers involved in fatal collisions had a BAC .08 or higher.

Ignition interlock devices (IIDs) remain one of the most common and well-accepted countermeasures for impaired driving. Thirty-five states plus Washington, D.C. have all-offender ignition interlocks laws. In addition, all 50 states have laws requiring or authorizing the use of IID for certain drunk driving offenses, from drivers who refuse to submit to an impaired driving chemical test to first-time to repeat and/or highly impaired offenders. On the federal level, Congress has also incentivized states to enact all-offender IID laws.

Furthermore, IIDs are also a well-accepted and understood countermeasure by the public. Per AAA's latest survey of Wisconsin motorists, 79% support the use of IIDs for first-time offenders. While this legislation would not impose IIDs on first-time offenders, it would help improve usage and compliance by those already facing such an order.

AAA recognizes that IIDs are not a cure-all against impaired driving. Alcohol impaired driving is a multifaceted problem that requires a multifaceted solution. We must use all the tools that are available and use those tools as effectively as possible. We believe that SB 248 will help our state more effectively utilize IIDs, and help us reduce preventable deaths on our roads. We urge the committee to advance this legislation.

safe Safety and Advocacy For Empowerment

Testimony of Charlotte Sawyer
in Support of SB 248
on Behalf of the SAFE Coalition
November 12, 2025

Chairman Wanggaard, Vice Chairman James, and members of the Senate Judiciary and Public Safety Committee:

My name is Charlotte Sawyer. I am a board member of the SAFE (Safety and Advocacy for Empowerment) Coalition. Together with Mothers Against Drunk Driving (MADD), AAA, and our other traffic safety partners, SAFE seeks to expand access to lifesaving technologies, like ignition interlock devices (IIDs) that prevent impaired driving.

I am pleased to offer testimony in strong support of SB 248 which will save lives and prevent drunk driving in Wisconsin. SB 248 will improve Wisconsin's Operating While Intoxicated (OWI) law by allowing people who refuse a BAC test or are convicted of OWI and who have prior OWI offenses, to install an IID sooner and obtain a restricted license. The bill also creates a compliance-based removal requirement to ensure drivers have changed their drunk driving behavior. Both changes are best practices that increase safety on the roads and make an IID program more effective, according to MADD, the American Association of Motor Vehicle Administrators (AAMVA), and the National Highway Traffic Safety Administration (NHTSA).

IIDs are a critical part of Wisconsin's suite of laws combating impaired driving. Maximizing the benefits of their use is sorely needed as OWI is on the rise. In 2024, there were 7,066 impaired driving related crashes according to the Wisconsin Department of Transportation. Based on data from NHTSA, there were 583 alcohol-impaired driving deaths in 2023 in Wisconsin. IIDs are one of the most effective countermeasures to stop impaired driving. Studies show that IIDs reduce recidivism—by up to 70%—among all offenders while they are installed.

In Wisconsin, IIDs have prevented people from drinking alcohol and driving more than 3.2 million times since 2006, including nearly 450,000 times when a driver was above the legal BAC limit of .08 BAC, according to MADD.

Elimination of the Hard Driver's License Revocation Timeframe

The hard driver's license revocation period is the waiting period that a person who has refused a BAC test or has been convicted of a prior OWI must complete before being allowed to install an IID and obtain restricted driving privileges for the remainder of the person's license revocation period. Hard license revocation timeframes are an outdated provision used before IIDs were in use. According to AAMVA's Reducing Suspended Drivers and Alternative Reinstatement Best Practices Edition 3:

- More than 75% of people with suspended or revoked driver's licenses are driving anyway.
- Roughly 19% of all fatal crashes involve an unlicensed or suspended driver.
- Approximately 34% of drivers suspended for highway safety reasons commit a moving violation while under suspension compared to approximately 7% of drivers suspended for non-highway safety reasons.

- One in five traffic fatalities in the U.S. involves a driver who is operating a motor vehicle while suspended or who has no license at all, according to the Transportation Research Board of the National Academies.
- Reducing law enforcement roadside encounters with suspended drivers by up to 39% would result in significant time savings allowing officers to be available for calls for service and other proactive highway safety activities.

For this reason, hard license revocation timeframes are no longer considered a best practice. Federal law no longer requires hard license suspension or revocation timeframes. In its model IID legislation, MADD recommends the following as a best practice: "There is no need for a hard license suspension period following a drunk driving arrest. The sooner a drunk driver is on an interlock device the better as up to 75 percent of drunk drivers drive illegally on a suspended license. Additionally, there is no need for a person on an interlock to have route or time restrictions associated with the use of the device."

Proposed Elimination of Wisconsin's Hard Driver's License Revocation Period

Under current law, a person whose operating privilege is revoked for a first offense of refusing a BAC test may apply for an occupational license after 30 days. SB 248 would eliminate that 30-day period and allow a person whose operating privilege is administratively revoked for a first offense of refusing a BAC test to apply for an occupational license immediately after they install an IID on any motor vehicle they operate.

Current law also stipulates that when a person is convicted of an OWI offense, the person's operating privilege is revoked by the court. The amount of time for such a revocation increases with every OWI offense, and the waiting period before the person can apply for an occupational license does, too. A person with prior OWI offenses may apply after 45 days. This bill would eliminate the 45-day waiting period and stipulate that a person may apply for an occupational license after installation of an IID on any motor vehicle they operate.

We urge Wisconsin to allow people whose licenses are revoked for BAC test refusal and/or prior OWI convictions to regain restricted driving privileges as soon as an IID has been installed and to eliminate the hard license revocation timeframes. This protects other people on the roads, helps the person change their drinking and driving behavior, and saves law enforcement resources.

Establishing Compliance-Based Removal Requirements for IID Participants

The second component of SB 248 is a new compliance-based removal requirement. This is an AAMVA and NHTSA best practice that is in use in 36 states and D.C. The process is best explained by AAMVA in its Ignition Interlock Best Practices Guide, Edition 3.

> "Compliance-based monitoring is a system with a designated time during which participants are required to have an ignition interlock device installed without violations. Federal law authorizes grants to states that, among other requirements, adopt and enforce a mandatory alcohol ignition interlock law with a compliance-based removal program under which an individual completes a minimum consecutive period not less than 40% of the required period of ignition interlock installation immediately preceding the date of release of the individual, without a

confirmed violation. Removal of the device and program completion should be based on clearly established compliance guidelines. Compliance-based removal is a recommended best practice."

In contrast to a time-based requirement, a compliance-based removal requirement demonstrates that a participant has changed their drinking and driving behavior. SB 248 includes a compliance-based removal provision as follows:

During the IID participant's final service appointment, data from the IID device is downloaded and checked for any occurrence of the following events during the 2nd half of the IID term:

- Tampering with or attempting to circumvent an IID.
- Removing an IID without authorization.
- Failure to service an IID that results in the IID entering lockout mode.
- Any attempt to start a motor vehicle with a BAC of 0.02 or more.
- Failure to take a random breath test unless a review of the digital image confirms that the motor vehicle was not occupied by the person at the time of the missed test.
- Failure to pass a random breath retest with a BAC of 0.020 or lower unless a subsequent test performed registers a BAC below 0.020 and a review of the digital image confirms the same person provided both samples.

If the participant data shows an occurrence of any of these events, the IID term is extended by 180 days. The device will be removed once the participant can demonstrate 180 continuous days on the IID without an occurrence of any of these events. There is a process in place for the participant to appeal the extension.

Conclusion

SB 248 will increase protection for roadway users while still allowing OWI offenders with repeat and high BAC OWI convictions to safely continue driving and meeting family and work obligations.

IIDs are one of the most effective countermeasures to stop drunk driving. At an average daily cost of $3 a day, they are a cost-effective alternative to the significant societal costs and impacts of impaired driving. In Wisconsin, IIDs are highly accessible, with 5 operating certified companies in Wisconsin and over 347 service/installations centers, with broad availability to both urban and rural populations.

IIDs are strongly supported by the National Transportation and Safety Board, National Safety Council, Mothers Against Drunk Driving, Centers for Disease Control, Governors Highway Safety Association, Insurance Institute for Highway Safety, the Distilled Spirits Council of the United States, Responsibility.org, the National Safety Council, Advocates for Highway and Auto Safety, and many other traffic safety groups.

We urge your swift passage of SB 248 which will reduce crashes and injuries and save lives in Wisconsin. Thank you for your time and consideration of the legislation and hope you will join us in our effort to improve our IID laws.