



VIRGINIA ALCOHOL SAFETY ACTION PROGRAM

Ignition Interlock & Remote Alcohol Guidelines

Version: July 1, 2026

TABLE OF CONTENTS

PART I:	GENERAL PROVISIONS.....	1
SECTION 1.1	AUTHORITY.....	1
SECTION 1.2	PURPOSE.....	1
SECTION 1.3	MONITORING SYSTEM USAGE & ACCESS	1
SECTION 1.4	REFERRAL SOURCES.....	1
SECTION 1.5	STATE-APPROVED IGNITION INTERLOCK PROVIDERS.....	1
SECTION 1.6	STATE-APPROVED REMOTE ALCOHOL PROVIDERS.....	1
PART II:	PROGRAM INITIATION	2
SECTION 2.1	INTERLOCK ORIENTATION	2
SECTION 2.2	INTERLOCK SERVICE PROVIDER SELECTION	2
SECTION 2.3	INTERLOCK AUTHORIZATION & MONITORING.....	2
PART III:	INTERLOCK MONITORING	2
SECTION 3.1	PRE-ENROLLMENT.....	2
SECTION 3.2	REQUIRED TERM OF INSTALLED INTERLOCK COMPLIANCE	3
SECTION 3.3	INSTALLATION	3
SECTION 3.4	REQUIREMENTS REGARDING TITLING & REGISTERING OF VEHICLES	5
SECTION 3.5	INSTALLATION ALL VEHICLES REQUIRED: NO ACTIVE TITLE EFF	5
SECTION 3.6	INSTALLED INTERLOCK CREDIT.....	6
SECTION 3.7	CALIBRATION	6
SECTION 3.8	REMOVAL.....	7
PART IV:	DMV ADMINISTRATIVE & LICENSE RESTORATION	9
SECTION 4.1	LICENSE RESTORATION W/O ADMINISTRATIVE INTERLOCK REQUIREMENT	9
SECTION 4.2	LICENSE RESTORATION WITH INTERLOCK REQUIREMENT	9
PART V:	MISCELLANEOUS	9
SECTION 5.1	RESTRICTED LICENSE AMENDMENTS.....	9
SECTION 5.2	TERMS OF SUSPENSION	9
SECTION 5.3	APPEALS	9
SECTION 5.4	MULTIPLE INTERLOCK REQUIREMENTS	10
SECTION 5.5	INTERLOCK SERVICE PROVIDER TRANSFERS	10
SECTION 5.6	BREATH REDUCTION REQUESTS	10
SECTION 5.7	UNAFFORDABILITY	10
PART VI:	INTERLOCK VIOLATIONS.....	11
PART VII:	CREDITING IGNITION INTERLOCK INSTALLATION TIME.....	12
PART VIII:	REMOTE ALCOHOL MONITORING.....	13
PART IX:	IGNITION INTERLOCK & RAMD MONITORING FEES	13
PART X:	INTERLOCK COMPLAINTS	14
PART XI:	INTERLOCK CASE JURISDICTION.....	14
PART XII:	FORMS	15

Part I: General Provisions

Section 1.1 Authority

The Alcohol Safety Action Program's (ASAP) ignition interlock monitoring authority is stated in Virginia Code §18.2-270.1 and interlock certification and regulation authority in Virginia Code §18.2-273.9.

Section 1.2 Purpose

Provide the local Alcohol Safety Action Programs (ASAPs) with clear and direct policies and procedures which shall be fully adhered to in the process of monitoring Virginia ignition interlock requirements. The Commission on VASAP reserves the right to deviate from these Operational Guidelines at its discretion.

Section 1.3 Monitoring System Usage & Access

Traffic Records Electronic Data System (TREDS) shall be the only ignition interlock referral, monitoring, and removal tool used by ASAP, not including DMV updates.

ASAP employees seeking to have access to the TREDS system must have their director contact the Commission on VASAP to have a USER ID and password created. Passwords must be reset every 90 days through the "Profile" section of TREDS. To reset your password, login to the TREDS system and click "My Account" on the TREDS horizontal toolbar. Click "Change Password" on the vertical tool bar and follow the steps to change your password.

If a person is no longer employed by the VASAP system, the ASAP director is required to contact the Commission on VASAP immediately to terminate their access.

Section 1.4 Referral Sources

Interlock referrals are received from the Virginia Department of Motor Vehicles (DMV), the Virginia Court System, or US Probation.

Section 1.5 State-Approved Ignition Interlock Providers

The current state-approved ignition interlock providers include Road Guard, LifeSafer and Smart Start.

Section 1.6 State-Approved Remote Alcohol Providers

The current state-approved remote alcohol monitoring manufacturers include Lifesafer, Smart Start, Securus Monitoring (subcontractors include Commonwealth Electronic Monitoring, East Monitoring Systems, and Stop LLC) and SCRAM (subcontractors include Virginia Electronic Monitoring Systems, Mid-Atlantic Alcohol Monitoring Systems, and Knight's Armor Security Training, LCC).

Part II: Program Initiation

Section 2.1 Interlock Orientation

The “ASAP Ignition Interlock Agreement” is required to be signed by all ASAP participants subject to a Virginia ignition interlock requirement. It is imperative that case managers answer any questions the participant may have about the agreement to increase understanding.

Section 2.2 Interlock Service Provider Selection

Under no circumstances shall an ASAP employee influence a participant’s selection of an interlock service provider by any means, to include but not limited to, verbal or non-verbal communication or use of interlock service provider stationery or products. A copy of the most current “Interlock Facility” document can be found on the Commission website located at [Interlock and RAMD Facility Locations - The Commission on VASAP](#).

Section 2.3 Interlock Authorization & Monitoring

It is the sole responsibility of ASAP to send prompt interlock installation authorizations to the interlock service provider and effectively monitor ignition interlock calibrations.

ASAP personnel shall make entry into the ASAP ECM system each time an installation, calibration, violation, or device removal service is completed by the interlock provider and reviewed by ASAP. ASAP shall note details of the review in the ECM system under the devices tab, to include the participant’s license status (for DUI and refusal cases) along with any violations or circumventions that were present.

Since interlock vendors rely on the information they have on file at the time of interlock service, ASAP’s failure to send a removal authorization promptly may result in the participant incurring unnecessary interlock fees. If this occurs, the ASAP shall be liable to the participant, or interlock vendor, for unnecessary ignition interlock service provider fees. The ASAP is responsible for contacting the participant when ASAP authorizes interlock device removal. If ASAP cannot reach the participant by phone, ASAP shall send a written letter to the participant using the last updated address in the case management (ECM) system. It is the participant’s responsibility to initiate the removal process with the service provider. The participant is responsible for paying all interlock fees charged by the provider, after the ASAP has authorized device removal and submitted the notification in writing to the participant (if the participant could not be reached by other means).

Part III: Interlock Monitoring

Section 3.1 Pre-Enrollment

Participants shall be notified by the ASAP, prior to completion of the TREDs interlock installation referral, that fees are required to be paid in advance and that there will be no refund even if the participant’s charge results in a non-conviction.

In instances where the participant installs an ignition interlock prior to a court referral, ASAP shall provide a letter to the court prior to the offense trial date that documents the date of interlock installation, the name of the service provider, and any violations, to include circumventions, which may have occurred. Following conviction in the case, if a restricted driver’s license requiring interlock completion is issued by the court, DMV will backdate the license suspension period to the installation date of the interlock device unless the court

directs otherwise. The ASAP must still verify and determine the participant's eligibility to receive installed interlock credit.

Section 3.2 Required Term of Installed Interlock Compliance

For court ordered DUI and refusal participants, including restricted licenses granted by the local jurisdiction for US Probation referrals, ASAPs are required to abide by terms noted on the court restricted driver's license order issued by the local jurisdiction regarding the length of the requirement; however, if a court orders ignition interlock on a DUI or refusal conviction to include other restrictions for a term of less than six-consecutive months, or orders ignition interlock as the only restriction for a term of less than 12 consecutive months, ASAP shall send the court restricted driver's license order referral document to the Commission for review. For DUI and refusal conviction participants, the terms of compliance always include completion of interlock with no alcohol-related violations and with proper licensure through VA DMV. For reckless driving conviction referrals, ASAP will enforce the term of compliance ordered by the court so long as it is for a term of 6 months or less, and the participant's license status with DMV (including participants licensed out of state) is not considered as a condition of interlock compliance

Section 3.3 Installation

The ASAP shall require a "DMV Compliance Summary," dated within 30 days of enrollment, for any participant to enroll with the program to satisfy a DMV administrative ignition interlock requirement. Compliance Summaries for VA DMV customers are available in TREDs and shall be reviewed by the ASAP, to determine a participant's eligibility to obtain licensure at DMV after device installation. The "DMV Compliance Summary" is the referral document and shall be uploaded to the client's ECM portal. ASAP shall verify that the ignition interlock completion requirement is listed on the most current Compliance Summary; otherwise, ASAP will be required to decline ignition interlock monitoring services.

If the referral source is the court, including a civil restricted license issued on a Federal conviction referred by US Probation, the referral document is the court-ordered restricted driver's license issued by the local jurisdiction and ASAP shall upload the referral document in the participant's application within the ECM system.

The participant must provide the ASAP with registration information for each vehicle in which an ignition interlock installation is required. If the participant chooses to install in a non-owned vehicle, to include leased vehicles, the ASAP shall notify the participant that the "VASAP Consent to Install Form" must be properly executed before installation of the device. The document must be notarized unless the owner is going to be present at installation. The participant must also complete an individual consent form for the owner of any non-owned personal vehicle on which interlock is installed. An exception to this would be a leasing company that refuses to sign the "VASAP Consent to Install Form." In this instance, ASAP will accept the lienholder's signed form.

ASAPs must enter correct vehicle information into the TREDs and DMV systems. Before sending the TREDs referral to the interlock vendor, all vehicle data entered manually into TREDs by VASAP must be verified as correct by referencing a valid vehicle registration document or using a VIN verification tool such as <https://vpic.nhtsa.dot.gov/decoder> .

Once the correct vehicle registration information is verified; ASAP shall complete the referral for interlock installation authorization to the participant's independently chosen interlock service provider through the TREDs system. When written verification of installation of the interlock device from the service provider is

provided by the participant, verified through the service provider's online portal, or verified by the alert received in TREDs, ASAP is required to update the DMV system within 24 hours, by using the INST code for each applicable vehicle.

Participants who fail to have the ignition interlock installed within 30 days of sending the installation authorization, shall have their referral deleted in the TREDs system and ASAP shall notify the court of the participant's failure to install the device within 30, days unless the court of jurisdiction states otherwise.

ASAPs shall review the participant's DC261, DC265, DC266, and DC269 to verify all ignition interlock requirements. ASAP participant records in the ECM case management system must match court referral information to confirm accuracy. Required information includes, but is not limited to, the participant's name, address, date of birth, and DMV customer number, offense date, effective date, length of requirement, if all vehicles are required, number of vehicles required, employer vehicle status, and indigency for interlock status.

DMV Customer Number: if the court fails to list the DMV customer number on the restricted license, or lists a customer number from an out-of-state DMV, the participant's Virginia DMV customer number must be verified, entered into the participant's ECM record, and entered in TREDs when creating an interlock referral.

Offense Date: the date the participant allegedly committed the pre-arrest activity. This is not the same as the arrest date. Someone can commit an offense on one day and not be charged until a future date. This date is entered in the "Offense Date" field of the TREDs installation authorization and is located under "Offense Date" on the DC266, if a court ordered referral.

Effective Date: the date that the participant is eligible to install the ignition interlock device. This date is entered in the "Court Order Date" field of the TREDs installation authorization. This date is the "Effective Date" on the DC266, if a court ordered referral.

Length of Installed Interlock Compliance Requirement: the length of consecutive time that the participant must have the ignition interlock installed and comply with all interlock device usage, calibration, and DMV requirements. This will be noted on the third page of the order DC266 Interlock Order Form.

All Vehicle Installation Requirement: for DWI 2nd and refusal case restricted driver's licenses, installation of interlock on all vehicles is required by law and enforced by DMV. For these cases and for DWI 1st and reckless conviction cases where the court has required installation on all vehicles, the ASAP shall not update DMV with an INST on any vehicle until all vehicles have an ignition interlock installed. At that time, an INST can be entered on all applicable vehicles.

Employer Vehicles: if the court permits the participant to drive an employer vehicle without an interlock installed, the participant is still required to install an interlock device in a personal vehicle to satisfy the restricted license requirement of the court. If permitted by the court and checked "Yes" on that portion of the DC266 Ignition Interlock Form, the employer must complete the "Employer Ignition Interlock Acknowledgement & Owner Verification Form". This document verifies the owner of the business is aware and that the participant is not in control of the business in whole or in part. The participant must return this employer-completed document to ASAP within ten calendar days of enrollment, or the participant will be sent back to court for non-compliance.

Indigent Status: when the court determines that the participant is indigent and not required to pay a portion, or all, of the ignition interlock fees, the indigent box will be checked on the DC266 Ignition Interlock Order Form. If this box is checked, the participant will be required to fill out the "VASAP Unaffordability" form and submit

it to the Commission, along with 90 days' of bank statements for review. If approved, the Commission will notify the ASAP and the participant's chosen interlock vendor.

Section 3.4 Requirements Regarding Registering & Titling of Vehicles

If a participant newly titles a vehicle at DMV while under a DUI 1st interlock requirement and intends to operate such vehicle, they are required to install an interlock in the vehicle within 10 days. If they do not intend to drive this vehicle, no interlock installation referral is made and the ASAP does not update the DMV system with an NCRT code on the vehicle line until the current interlock requirement has been satisfied. At that time, the ASAP shall place an NCRT code into the DMV system for each vehicle that was not subject to the interlock requirement before placing a CMPL on the vehicle, or vehicles, which were subject to the interlock requirement.

If a participant newly titles a vehicle while under a DUI 2nd or subsequent, refusal, or DUI 1st requirement with all vehicles required, the participant must request installation authorization from ASAP immediately and install interlock on all vehicles operated by or titled, in full or in part, to the participant within 10 days. ASAP shall routinely check the "DMV Activity" alert tab in TREDS to identify newly registered vehicles for participants with an open TREDS case. Once identified, ASAP shall contact the participant to discuss the need to install an interlock in the newly registered, or titled, vehicle. The participant's failure to install an interlock on the newly titled vehicles within 10 days will result in ASAP updating the participant's DMV interlock status with the RVAS code effectively resulting in a license suspension which causes an immediate stop to the participant's eligibility to earn installed interlock credit until the participant is again in a licensed status at DMV. The only remedies to cure this suspension are to install interlock on all newly titled vehicles or remove the newly titled vehicles from the participant's profile at DMV.

If a participant newly titles a vehicle while under a DUI 2nd or subsequent, refusal, or DUI 1st requirement with all vehicles required, newly titles vehicle at DMV and fails to install interlock on the newly titled vehicle(s) within 30 days of ASAP providing verbal or written instruction to do so, the ASAP may require the participant to complete a new term of ignition interlock completion for the full term ordered by the court, on all vehicles. If this occurs for a participant with a DMV administrative requirement for interlock completion on a DUI or refusal case, that term will be a minimum of twelve consecutive months with no alcohol-related violations.

If a participant newly titles a vehicle while under a DUI 2nd or subsequent, refusal, or DUI 1st requirement with all vehicles required, installs interlock on the newly titled vehicle(s) within 10 days, avoiding the DMV license suspension, the interlock compliance term for the vehicle(s) will match the current term for the previously installed vehicles.

Section 3.5 Installation - All Vehicles Required - "No Active Title - EFF"

Sometimes, after updating DMV for interlock installation on the participant's current vehicle, the DMV system still shows a "no active title" vehicle line on the participant's DMV profile, resulting in an EFF code (interlock required) status that must be cleared on that line in DMV for the participant to be eligible for DMV license reinstatement. Sometimes the "no active title vehicle" line refers to former activity for a vehicle on which the interlock was installed that is the same vehicle on which the interlock is again currently installed.

The "no active title" designation can refer to a vehicle once owned by the participant in the past or a vehicle never owned by the participant but added to the DMV profile via OTHR so interlock installation on the vehicle could be updated for the participant in DMV. The full vehicle data, prior interlock status, and participant ownership status of the "no active title" vehicle must be identified before the EFF status (interlock required) can

be removed. If the participant owned the vehicle in the past, only DMV can update the DMV system to remove the EFF code. If the participant never owned the vehicle, only ASAP can update the DMV system to remove the EFF code.

No Active Title Vehicle(s) Owned by Participant: to clear the EFF code in this case, after updating the INST for all current vehicles, ASAP shall provide the participant the vehicle identification information for the “no active title” vehicle(s) and instruct the participant to go to DMV with the vehicle information and ask for the vehicle data to be brought out of their DMV history. The participant will then report the method of vehicle disposal to DMV who will then update the participant DMV profile to remove the EFF code (interlock required) from this vehicle line.

No Active Title Vehicle(s) Not Owned by Participant: to clear the EFF code for vehicles not owned by the participant that were added to DMV via OTHR to allow for prior installation update in DMV, after updating the INST for all current vehicles, ASAP must then enter INST and CMPL using the current date for both, on the no active title (EFF coded) vehicle line.

Section 3.6 Installed Interlock Credit

To earn installed interlock credit towards completion of a Virginia court, or DMV administrative interlock completion requirement (excluding reckless driving conviction cases), participants must achieve and maintain a valid licensure status with Virginia DMV. Court ordered participants, licensed in Virginia at the time of the interlock installation referral, must achieve and maintain DMV licensure within 60 days of the effective date of the court issued restricted driver’s license to earn installed interlock credit. Court ordered participants, licensed in another state at the time of the ignition interlock installation referral, must achieve a not licensed status with Virginia DMV and provide proof of valid out of state licensure within 60 days of the effective date of the court-issued restricted driver’s license to earn installed interlock credit. To continue earning installed interlock credit, the participant must verify proof of valid licensure in the other state by providing an updated driver’s transcript, dated at least 60 days after conviction, to the ASAP within 90 days from conviction. In all cases, within 30 days of anticipated removal authorization for successful completion of the installed interlock requirement, the participant’s DMV licensure status must be verified. The out-of-state licensed participant must again provide proof of valid licensure in the other state by providing an updated driver’s transcript, dated within the past 30 days. ASAP will verify each participant’s status via the Virginia DMV.

Section 3.7 Calibration

Per Virginia Code §18.2-270.1, participants are required to have the interlock device calibrated at least every 30 days. ASAPs are required to verify that a participant has calibrated at least every 30 days and review the calibration report to determine if any actionable alcohol-related violations exist.

When a participant fails to complete a required calibration in the case of a court-ordered requirement, and a TREDS missed calibration alert is received, ASAP shall review the participant’s record on the assigned ignition interlock vendor’s website to confirm that the calibration did not occur. The ASAP shall then check the case management system to make sure the participant did not report the reason for the missed calibration. ASAP shall then provide a courtesy call to the participant to see if they have a valid reason for the missed calibration. Once the reason for missed calibration is verified, and confirmed not valid, ASAP shall notify the court except in situations where the court of jurisdiction states otherwise. Under no circumstances can an interlock requirement be extended due to failure to calibrate.

When a participant fails to complete the required calibration in the case of a DMV interlock requirement, and a TREDs missed calibration alert is received, ASAP will authorize an unsuccessful removal in TREDs and update DMV by inputting an RVAS code for each applicable vehicle. This action will result in the immediate suspension of the participants' license at DMV, and the participant loses all prior installed interlock credit.

When the participant returns to ASAP to complete the outstanding interlock requirement, whether they elected to remove the interlock or not, following removal authorization by ASAP, they shall complete the full term of the outstanding interlock requirement from the beginning.

Section 3.8 Removal

To verify the participant is eligible for interlock device removal in a successful status, ASAP is required to review the Virginia DMV and out-of-state DMV status for participants. For court ordered interlock cases, ASAP must verify whether court-approval is required to authorize device removal. For reckless conviction interlock cases only, the requirement for proper licensure at DMV for Virginia and out-of-state drivers is not considered a factor of interlock compliance.

It is ASAP's responsibility to authorize removal of the ignition interlock once the participant has successfully satisfied all interlock requirements. ASAPs who fail to send the removal authorization to the participant's interlock service provider as required shall be liable to the participant, or interlock vendor, for unnecessary ignition interlock service provider fees, if incurred.

The ASAP is responsible for contacting the participant when an interlock device has been authorized for removal. If the participant cannot be reached by phone, ASAP shall send written notification, via letter, to the participant using the last updated address in the ECM case management system. At this point, it is the participant's responsibility initiate the removal process with the service provider.

If an interlock violation has been returned to the court but has not yet been tried, a removal order shall not be sent, unless otherwise directed by the court. This applies even if the participant has completed their court ordered ignition interlock time.

If the court orders successful removal of the ignition interlock device prior to any period mandated by law, ASAP shall update the participant's case in ECM and TREDs for an unsuccessful removal. When device removal is authorized in an unsuccessful status, the participant's interlock requirement will remain active at DMV, and the participant will be required to repeat and satisfy the interlock requirement later.

Under no circumstances shall an ASAP update the DMV system with a successful completion of ignition interlock when an interlock device has been installed less than the length of time required by law unless the court has ordered the successful removal of interlock on a reckless driving case or a license restoration case that has no DMV administrative interlock requirement.

ASAP personnel are required to abide by the Commission on VASAP Case Management Operational Guidelines regarding proper disposition of an ASAP case. In situations where a participant is either ASAP revoked by the court, or had their restricted license revoked by the court, the ASAP shall notify the participant, authorize unsuccessful removal of the ignition interlock device in TREDs and enter an RVAS code in the DMV system.

Once a participant is licensed at DMV and not subsequently determined to be otherwise ineligible for licensure, even if a participant fails to complete their ASAP program requirements by the end of the original term of license suspension, the participant will remain licensed at DMV as long as interlock device installation remains

updated at DMV. If successful completion of interlock is updated in DMV prior to the ASAP completion requirement being updated in DMV, the participant's license status will change to not licensed until they complete ASAP successfully and DMV is updated. If the participant does not complete the interlock requirement successfully, ASAP shall update the participant's interlock requirement in the DMV system with the RVAS code. This will result in an immediate suspension of the participant's license status with DMV. If a removal authorization is sent in error through the TREDs system, the ASAP shall click "view case" within the participant's TREDs' case, then click "vehicle events", and then click the red "X" to delete the removal authorization for the desired vehicle or vehicles.

For DUI 1st convictions in which the court has not ordered interlock installation on all vehicles, and ASAP verified that the participant has met all conditions for successful completion of their ignition interlock requirement, ASAP shall send a removal authorization through the TREDs system. ASAP shall enter NCRT for any vehicle on which interlock was not installed and enter CMPL for every vehicle in which interlock was installed.

If the removal involves a reckless driving referral, participants are only required to complete the minimum required interlock term ordered by the court. This term may be any amount of time not to exceed six months. If a participant fails to complete the minimum interlock requirement ordered by the court, and the court authorizes device removal, without ordering that the DMV waive the interlock completion requirement, the interlock requirement will remain active in DMV until ASAP updates the requirement as completed. To remove the requirement from the participant's profile at DMV, the court must transmit orders to DMV for the participant that both revoke the restricted driver's license and waive the interlock completion requirement. Absent these orders being transmitted by court and updated at DMV, the requirement at DMV for the participant to complete a minimum six consecutive months of interlock completion without alcohol-related violations will remain.

In some multiple offender restoration cases, and on all reckless driving case convictions, there are no corresponding DMV administrative interlock requirements. It is only by order of the court order that a participant can be required to complete a term of interlock in these cases. When the court issues a restricted license with an ignition interlock requirement on these cases, the court may order a term of less than six months required for successful completion of the interlock requirement. Once the interlock order from the court is transmitted and posts, DMV will publish an "F" code on the participant's DMV profile, signifying a requirement for interlock completion on the case. For successful removal, authorization for successful completion of the interlock requirement is dependent upon successful completion of the term of interlock installation required by the court. Once removal authorization for successful completion (CMPL) is updated at DMV, the "F" code on the participant's DMV profile (signifying a requirement for interlock completion on the case) will drop from the participant's DMV profile. For unsuccessful removal, interlock violations shall be reported to the court that issued the restricted license so that the court can decide on whether to revoke the restricted license order and or waive the court ordered interlock completion requirement. When unsuccessful removal of interlock is ordered by the court in these cases, because DMV has no administrative authority to require interlock completion, DMV has no automatic mechanism that removes the "F" code from a participant's DMV profile following a failure to satisfy the court ordered interlock requirement. Unless the court orders revocation of the restricted driver's license and orders DMV to remove the "F" code signifying a requirement to complete interlock, the interlock completion requirement will remain on the participant's DMV profile, indefinitely, until satisfied. ASAPs shall notify the participant that such court orders are required and provide status reports to clients filing motions with the court, when requested.

Part IV: DMV Administrative and License Restoration Cases

Section 4.1 License Restoration without Administrative Interlock Requirement

When the court orders ignition interlock even though the participant is not required to complete ignition interlock administratively through DMV, the ASAP shall monitor the participant's ignition interlock requirement and report their findings to the court. No entry into the DMV system shall be made unless required by DMV. ASAPs shall collect the interlock monitoring fee via a payment plan unless the participant elects to pay the entire balance up front. Removals are only authorized when ordered by the court.

Section 4.2 License Restoration with Interlock Requirement

The ASAP shall monitor the participant's interlock requirement until they complete a minimum of 12 consecutive months of ignition interlock with no alcohol-related violations unless the court has ordered a longer interlock requirement. ASAPs shall collect the interlock monitoring fee via a payment plan unless the participant elects to pay the entire balance up front.

If the court orders removal of the ignition interlock device prior to the participant completing 12 consecutive months of interlock installation with no alcohol-related violations, ASAP shall remove the device per the court's order and update device removal in an unsuccessful status in TREDs and within the interlock device tab in ECM. The participant's DMV administrative requirement to complete 12 consecutive months with no alcohol-related violations will remain outstanding until completed by the participant.

Part V: Miscellaneous

Section 5.1 Restricted License Amendments

If the court amends a participant's restricted license order to make a correction, add a restriction, or change an address, etc., the new effective date typed on an amended restricted driver's license order does not change the original end date in DMV. For example, if the original restricted license on a DUI 1st conviction is effective January 1, 2025, a change to the order in March 2025 does not change the original end date of January 1, 2026.

Section 5.2 Terms of Suspension

The term of license suspension ordered by the court at final adjudication of the case and calculated and posted by DMV is final. These dates are not impacted by amendments to restricted license orders, delayed transmissions of conviction from the Court to DMV, or any delayed posting of the conviction by the DMV.

Section 5.3 Appeals

If a participant appeals a General District Court DUI conviction, the interlock requirement shall not be enforced until the appeal is heard and the court decides if the conviction stands. If the interlock is already installed before the participant decides to appeal the conviction, the device shall be authorized for removal by the ASAP when they appeal.

If a participant appeals a Circuit Court DUI conviction to the Supreme Court of Virginia, the interlock requirement stands until the appeal to the Supreme Court of Virginia is finalized.

If a participant appeals an ASAP noncompliance conviction to the Circuit Court, the interlock requirement stands until the noncompliance case appealed to the Circuit Court is finalized.

Section 5.4 Multiple Interlock Requirements

When a participant is subject to multiple Court ordered interlock requirements, ASAP must verify the final charges to know if the resulting driver license suspensions are to be applied concurrently or consecutively by VA DMV. DMV suspensions on multiple DUI and Refusal convictions, or a combination of both, are applied consecutively.

Example: if a client receives two DUI 1st convictions in a short period of time, the interlock requirements run consecutively as two 12-month interlock requirements equaling 24 total months of interlock. Completion for each 12-month term must be satisfied in full before credit can be earned on the second 12-month term.

DMV suspensions on multiple reckless driving convictions, or in combination with a DUI or refusal conviction, are applied concurrently unless otherwise ordered by the court. When a participant is subject to multiple court ordered interlock completion requirements, where one of the requirements is ordered on a reckless driving conviction, ASAP shall review the final sentencing orders in each case to verify if the court ordered that resulting driver license suspensions and interlock completion requirements in the cases are to be completed concurrently or consecutively. ASAP shall verify that the orders are posted at DMV as ordered by the court.

Section 5.5 Interlock Service Provider Transfers

Participants seeking to transfer from one interlock service provider to another require Commission on VASAP approval if the interlock has already been installed. In some instances, after Commission on VASAP approval, the participant will also be required to petition the court of jurisdiction for permission to temporarily remove the interlock device. ASAPs do not need Commission approval to transfer a participant from one interlock vendor to another in TREDs if the participant has not installed the interlock device with the first independently chosen interlock vendor listed in TREDs.

Section 5.6 Breath Reduction Requests

Participants who are unable to produce the required breath volume into the interlock device may have their breath volume requirement lowered if approved by the Commission. The participant must submit a physician's statement to the Commission stating the physician's suggested breath volume requirement setting on the interlock or RAMD device. Recommendations below 1.0 liters will not be authorized.

Section 5.7 Unaffordability

If the court declares a participant indigent for ignition interlock fees, the participant must submit a completed and notarized "VASAP Unaffordability Request Form" and three months of bank/credit card statements to their ASAP for submission to the Commission for review and determination. The Commission will notify the ASAP and the participant's independently chosen interlock service provider of the final decision on the fee waiver request, and the length of the full or partial waiver, if approved. Under no circumstances will the Commission approve fee waivers for indigent status participants that include months added to the original interlock requirement because of actionable violations recorded on the interlock device or for a participant failing to maintain proper licensure with DMV. Unaffordability is not an option for DMV administrative interlock requirements.

Part VI: Interlock Violations

Interlock events that contain a BAC in excess of 0.02% are considered alcohol-related interlock violations. Participants are required to provide a re-test within 15 minutes of the failed test to assist the ASAP in determining if the original failed test was due to something other than consumed alcohol. Although this is the standard, ASAP personnel shall consider the totality of the circumstances surrounding a failing BAC to determine if the event is an actionable violation.

Interlock events that contain skipped rolling re-tests that are not cleared within 15 minutes with a .000% BAC are retest violations and may be considered actionable, alcohol-related interlock violations. ASAP personnel shall consider all pertinent events surrounding a skipped rolling retest to determine if the event is an actionable violation. In all situations except when the court of jurisdiction states otherwise, skipped rolling-retest events that are determined to be actionable violations shall be treated just like an alcohol-related violation.

For court ordered and DMV administrative interlock cases where the ASAP has determined that an interlock event is an actionable alcohol-related violation, and there is an indicator on the calibration report requiring a secondary review of the violation by the Commission on VASAP, the ASAP shall submit the interlock event to the Commission at interlockrequests@vasap.virginia.gov for a secondary review only if the failing BAC is between .02 and .04%. No action shall be taken by ASAP regarding the interlock event either verbally or in writing, with the participant, court, or DMV until a response is received by the Commission.

The local ASAP staff are the parties primarily responsible for testifying in court hearings on alleged violations, when required to testify by the Commonwealth, defense attorney, or court. In transfer cases with actionable interlock violations possessing the indicator on the calibration report requiring secondary review by the Commission, the servicing ASAP shall send the violation review to the Commission on VASAP for secondary approval before notifying the original ASAP.

In situations where there is an indicator on the calibration report requiring a secondary review, and ASAP has considered any present violation to be not actionable there is no need to send the information to the Commission for a secondary review. If an actionable violation occurs on the interlock calibration report that has been confirmed via the Commission (when applicable), ASAP shall handle the case per the instructions of the court of jurisdiction.

ASAPs are not permitted to make treatment referrals, require completion of treatment evaluations or interventions, for any reason, on DMV administrative ignition interlock cases.

Under no circumstances shall ASAP accept any non-interlock recorded activity completed by a participant and offered as a means of clearing an actionable interlock BAC interlock violation. Some examples of this include, but are not limited to, use of other breath devices, urine screens, blood tests, affidavits from participants or witnesses, and/or any audio or video data recorded on a phone, tablet, laptop, etc....

If an alcohol-related violation occurs on an interlock calibration report and has been confirmed as actionable via a Commission secondary review (when applicable), the participant's interlock requirement shall be extended for the entire original term of interlock completion required from the date of the actionable alcohol-related violation forward. If a show cause hearing is held, and the court affirms the alleged violations as actionable and dismisses the show cause rule, the participant's interlock requirement shall be extended for the fully required term from the date of the alcohol-related violation. If a show-cause hearing is held, and the Court does not affirm that the alleged violation(s) is actionable, then the ASAP shall no longer consider the event(s) to be actionable violations. In situations where an allegation of actionable violation is referred to the court, and the court fails to

respond, the ASAP shall not finalize any case action regarding the alleged violations until a response from the court on the specifically alleged violation has been received.

Per Virginia Code §18.270.1, circumvention attempts are considered a class 1 misdemeanor. ASAP shall review all ignition interlock photographs downloaded at calibration to identify circumvention events. If an interlock circumvention is detected, ASAP shall immediately report the circumvention to the Commission on VASAP. The ASAP shall not contact the participant or update the court or DMV about the violation or circumvention, without approval from the Commission.

Part VII: Crediting Ignition Interlock Installation Time

In situations where the participant has a court-ordered ignition interlock requirement, they are required to become “licensed” through the DMV within 60 days of issuance of the court-ordered restricted license. Failure to do so results in the expiration of the participant’s restricted license privilege. Participants who fail to abide by this requirement shall lose credit for any installed interlock time from the 60-day mark until the date they become licensed through the DMV. Participants licensed out-of-state are also subject to these requirements.

The simplest way to calculate interlock time is to add the original length of the interlock requirement to the date that the participant obtains their hard-copy license from DMV and then subtract the number of days the interlock was installed within the first 60 days of restricted license issuance.

Example of a six-month interlock requirement:

ROL Issuance Date: January 1, 2020

Interlock Installation Date: February 1, 2020

60-Day Expiration Date: March 1, 2020

Original Program End Date: August 1, 2020

Licensure through DMV Date: April 1, 2020

New Program End Date:

October 1 minus 30 days (time interlock installed before 60-day ROL expiration) = September 1, 2020

It is important to note that the participant’s ignition interlock time does not start over from the date they become licensed as they receive credit for installed interlock time incurred within the first 60-days of license issuance (unless they did not have the interlock installed within the first 60-days or they were otherwise suspended or ineligible at DMV during the initial 60-day period).

Once an interlock device is installed, and a participant achieves a licensed status with DMV, the length of time for any new DMV license suspension shall be added to the end of the compliance date.

If the post-licensure suspension at DMV was due to a new conviction for any alcohol, drug, or driving while suspended or revoked charge or conviction, ASAP will restart the required term of interlock completion in its entirety from the date the participant becomes licensed at DMV. This means the participant will not begin earning any installed interlock credit until they are again in a licensed status at DMV. These details apply to out-of-state license holders who experience comparable suspension of the out-of-state driver license status. Standard ASAP interlock fees will apply.

For interlock purposes, participants subject to a learner's permit receive credit for interlock time installed if they are age 25 or older.

Part VIII: Remote Alcohol Monitoring

If remote alcohol device monitoring is ordered by the court, for any reason, and the person is referred into ASAP, the ASAP is the monitoring authority for the remote alcohol monitoring court requirement.

In situations where a person is ordered by the court to begin remote alcohol monitoring, pre-trial, with a monitoring agency other than ASAP, and is subsequently convicted and referred into ASAP, the ASAP will take over monitoring of the remote alcohol requirement for the court. ASAP must notify the Commission immediately to ensure that the current RAMD device and service provider are state approved.

ASAPs shall provide the "VASAP Remote Alcohol Agreement" to participants, review it with them, and verify it is signed and dated by the participant, prior to completing a RAMD referral in TREDs.

When a participant is ordered by the court to have an ignition interlock installed and to use a remote alcohol monitoring device, the ASAP shall not update the installation of the interlock (INST) in DMV until both an ignition interlock and RAMD are successfully installed, nor shall the ASAP update successful completion (CMPL) in DMV until both the interlock and remote alcohol monitoring requirements have been completed successfully. ASAPs shall abide by the requirements of DC269 which provides additional details about the requirement for remote alcohol monitoring when required in combination with an interlock device on the restricted license.

Part IX: Ignition Interlock & RAMD Monitoring Fees

If a participant, not enrolled in ASAP, requests enrollment to complete an outstanding DMV administrative interlock requirement, ASAP is entitled to collect \$50 per month from the participant for providing ignition interlock monitoring services. If a participant is already enrolled in ASAP and the original term of suspension or term of good behavior ordered by the court has expired, and there is no active court ASAP non-compliance case still pending resolution, ASAP shall open an ignition interlock application in the ECM system and collect \$50 per month for interlock monitoring fees. The exception is if a participant has less than one month remaining on their interlock requirement in which the ASAP would not charge any fees for the remaining time unless the participant incurs an alcohol-related violation during that period.

If a participant is enrolling to satisfy an outstanding DMV VASAP and ignition interlock requirement, they will be required to obtain a restricted license order from the court of the original conviction to drive. If the court ASAP-revoked the participant's original ASAP case to which the current DMV VASAP requirement originated, the ASAP is permitted to charge \$400 for the DMV VASAP service and \$50 per month to monitor the DMV ignition interlock requirement.

Prior to enrollment ASAP shall review the participant's "Compliance Summary" and "DMV Transcript" (both available in TREDs) to be sure the participant does not have any outstanding ASAP completion requirements or DMV suspensions. Before enrollment can be completed, ASAP must verify the participants' eligibility to achieve DMV reinstatement (including any out-of-state licensure considerations) following installation.

If a participant prefers to pay the entire amount of interlock monitoring fees up front, the ASAP can collect the entire amount, but any fees for months in which services are not provided by the ASAP must be returned to the

participant within 30 calendar days. The \$50 per month fee is singular per month fee and is not charged in multiples per ASAP case or per vehicle.

If at any time a participant falls 60 days or more behind in payment of interlock monitoring fees to ASAP, the ASAP may send a removal authorization to the interlock vendor, RVAS the participant's interlock monitoring status in DMV, and close the case as unsuccessful. To re-enroll the participant will be required to pay any outstanding balance and pay the first month's \$50.00 interlock monitoring fee. The exception to this rule is if the participant fails only to pay for the final month of interlock service. If this occurs, participants who completed the interlock requirement successfully will be authorized for removal of the interlock device but will not have their status completed in DMV until they pay the outstanding \$50 fee plus an additional \$50 administrative fee. If the participant contacts the ASAP to re-enroll, and ASAP authorized removal of the device as required, and the participant never removed the interlock device, the participant will be required to pay any outstanding balance and pay the first month's \$50.00 interlock monitoring fee. The ASAP director has the discretion to grant credit for any prior installed interlock time.

Part X: Interlock Complaints

ASAP employees are expected to notify participants of any ignition interlock violations and the subsequent consequence(s). Participants who disagree with a violation and ask to elevate their complaint above the case manager, should be directed to the ASAP director. Participants who fail to abide by this protocol will be redirected by the Commission on VASAP to the assigned ASAP director.

The Commission on VASAP is available to assist case managers on interlock monitoring questions but it does not serve as an appeal source for participants. Interlock violations are expected to be handled at the local ASAP level. In situations where the participant files a complaint, whether verbal or in writing, with the ASAP regarding any customer service or interlock device issues with the interlock vendor, the ASAP shall report the issue to the Commission on VASAP via phone or e-mail at (info@vasap.virginia.gov) for resolution.

PART XI: Ignition Interlock Case Jurisdiction

Virginia Code §18.2-271.1 Subsection F specifically states that the court shall have jurisdiction over any case until the case has been disposed of by either successful completion of the program, or revocation due to the ineligibility or violation of a condition, or conditions imposed by the court, whichever shall occur first. In summary, the case must incur an official final disposition of successful completion or revocation by the court, or the court maintains jurisdiction.

Example 1: If a participant fails to complete their treatment classes by their restricted license end date and the case is not returned to court for a violation of ASAP, the case would be closed unsuccessfully by ASAP and the court would maintain jurisdiction over the case moving forward.

Example 2: If a participant is returned to the court for a violation of ASAP and the court officially revokes the participant from ASAP, the court no longer has jurisdiction over the case.

Virginia Alcohol Safety Action Program
vasap.virginia.gov

Consent to Install Form

Client Name:

Vehicle Make: Vehicle Model:

Vehicle Year: Vehicle Color:

Vehicle License Plate #:

VIN Number:

I, the undersigned, being the registered owner of the vehicle(s) described above, or (in the case of a company-owned vehicle) the person so authorized, hereby give my consent to have an ignition interlock or intelligent speed assistance device installed by _____'s (Client Name) independently chosen service provider _____ (Service Provider Name).

I understand the purpose of the ignition interlock or intelligent speed assistance device and the conditions under which it is being installed in my vehicle and agree to abide by the requirements of the service provider contract. In the event that the client referenced above leaves the ignition interlock or intelligent speed assistance program, I, the registered owner, agree to bring the vehicle(s) identified above to the service provider's facility within five days for removal of the device. I also understand the interlock or intelligent speed assistance device will not be authorized for removal without written permission from the court of jurisdiction, if a court ordered restricted license is still in effect. In the event the court denies the petition, the interlock or intelligent speed assistance device will remain on my vehicle until the client satisfies the requirement.

In the event of vehicle repossession, theft, or any other reason that may lead to permanent loss of the interlock or intelligent speed assistance device, I agree to contact the service provider and my ASAP case manager immediately in order to start the retrieval process.

(Printed Name of Person Providing Permission)

(Signature of Person Providing Permission) (Date)

(Notary Signature) (Date)

Virginia Alcohol Safety Action Program

vasap.virginia.gov

Consentimiento para Instalar el Interbloqueo de Ignición (Ignition Interlock)

Este formulario en Español sirve de guía, favor de completar y certificar con un notario el formulario en Ingles.

Nombre de cliente: _____

Marca de Vehículo: _____ Modelo de Vehículo: _____

Año del Vehículo: _____ Color del Vehículo: _____

Número de Placa del Vehículo: _____

Numero de VIN: _____

Yo, abajo firmante, siendo el propietario registrado del(los) vehículo(s) descritos arriba, o la persona autorizada (en caso que el vehículo sea propiedad de empresa), aquí doy mi consentimiento para que sea instalado el sistema de interbloqueo de ignición (ignition interlock) por el proveedor de

_____ (Nombre de Cliente) que independiente escogió a

_____ (Nombre del Proveedor de Servicio de Interbloqueo). Yo, comprendo el propósito del aparato de interbloqueo de ignición y las condiciones en las que se está instalando en mi vehículo y me comprometo a cumplir con los requisitos del contrato del proveedor de interbloqueo de ignición. En el caso de que el cliente nombrado anteriormente deje el programa de interbloqueo de ignición, yo, el propietario registrado, acuerdo en llevar el vehículo(s) identificado anteriormente, a un centro de servicio de interbloqueo de ignición en un plazo de cinco días para retirar el aparato. También entiendo el interbloqueo no será autorizado para removerse sin permiso por escrito del tribunal de la jurisdicción, si es que aún la licencia restringida que ordenó el tribunal está todavía en vigor. En caso de que el tribunal niegue la petición, el interbloqueo permanecerá en mi vehículo hasta que el cliente cumple con el requisito de interbloqueo de ignición. En el caso de reposición del vehículo, robo, o cualquier otra razón que puede llevar a la pérdida permanente del aparato de interbloqueo de ignición, estoy de acuerdo en ponerme en contacto con el proveedor de servicios de interbloqueo e administrador de casos de ASAP de inmediato con el fin de iniciar el proceso de recuperación.

(Imprime el Nombre de la Persona Proporcionando el Permiso)

(Firma de la Persona Proporcionando el Permiso)

(Fecha)

Este formulario en Español sirve de guía, favor de completar y certificar con un notario el formulario en Ingles.

Ignition Interlock Participation Agreement

www.vasap.virginia.gov

Participant Information

Driver's License Number

--	--	--

--	--	--

--	--	--

State of Issue

--	--

First Name:

Middle Name:

Last Name:

Address:

City / Zip

Phone Number:

Date of birth:

Email address:

Agreement

By signing below, I acknowledge that I have reviewed and agree to abide by the terms of the VASAP Ignition Interlock Participation Agreement and all laws related to the Virginia Interlock program published in the Virginia Code.

All VASAP ignition interlock participants are required to abide by the following conditions:

1. ASAP clients convicted of a DUI 1st offense must install an ignition interlock on any vehicle they operate, unless otherwise ordered by the court. ASAP clients convicted of a DUI 2nd or subsequent offense must install an ignition interlock on any vehicle they operate, and any vehicle registered or titled to them, in whole or in part. _____
2. Both court-ordered and DMV administrative interlock clients are required to complete enrollment with a local ASAP to open a case for ASAP interlock monitoring services. _____
3. For DMV administrative interlock cases, the ASAP interlock monitoring fee is \$50 per month. The ASAP will not successfully satisfy any interlock requirement with the DMV in which the ASAP fee balance is not paid in full. Clients who have an ASAP fee balance 60-days or more in arrears are subject to having their interlock monitoring services terminated by the ASAP. _____
4. Clients under any ignition interlock requirement must notify the ASAP immediately if they register or title a new vehicle. The new vehicle must have an ASAP approved interlock device installed within 10 calendar days of registering or titling the vehicle, if related to a DUI 2nd or subsequent conviction, a DUI 1st where the court required interlock installed on all vehicles, or a DUI 1st conviction where the client intends to operate the vehicle. Failure to install ignition interlock on all required vehicles may result in a DMV license suspension, an interruption in client eligibility to earn installed interlock credit, or the loss and reset of all previously accrued installed interlock credit. The client will not be eligible to begin earning installed interlock credit until an interlock is installed on all required vehicles and the client is once again in a compliant status with Virginia DMV ("Licensed" for Virginia drivers, "Not Licensed-No Fees Owed" for out of state license holders). _____
5. Court-ordered ASAP clients seeking an exemption to drive an employer's vehicle without an interlock installed must have the employer petition the court. The client must not be in control or ownership of the business in whole or in part. If an employer exemption is granted within a restricted license issued by the Court, the client is still required to install an interlock in a personal vehicle, achieve proper licensure with Virginia DMV, and achieve compliance with their home state of licensure to satisfy the requirement. If approved by the court, ASAP clients, and their employer, must complete the VASAP Ignition Interlock Program Employment Exemption Application in full and promptly return it to their servicing ASAP. _____
6. The Court-ordered interlock device must be installed within 30 days of the effective date on the DC-266 Ignition Interlock Order Form. The interlock device must be calibrated at least every 30 days per Virginia Code 18.2-270.1. _____
7. ASAP clients installing interlock in a vehicle they do not own must submit a completed "VASAP Ignition Interlock Consent to Install Form" to the interlock technician at installation. The document must be notarized unless the owner of the vehicle will be present at the installation appointment. _____
8. ASAP clients are not permitted to change interlock vendors after device installation unless approved by the Commission on VASAP. _____

9. Installed ignition interlock credit for court-ordered interlock clients cannot be earned if a client has a suspended, revoked, or not eligible status with Virginia DMV or their home state of licensure. ASAP clients under a court-ordered interlock requirement must comply with all terms of the court-issued restricted license order (DC265) and all licensing requirements of the DMV to earn installed interlock credit. ____
10. The court-issued restricted license order (DC265) document shall expire 60 days from the effective date on the originally issued order unless accompanied by a valid hard copy license from Virginia DMV. Driver's licensed in another state at the time of the Virginia DUI conviction must also meet the 60-day compliance requirements with Virginia DMV by achieving a "Not Licensed-No Fees Owed" status with the Virginia DMV and by obtaining a valid hard-copy picture driver's license from their home state of licensure. ____
11. Installed ignition interlock credit for DMV administrative clients cannot be earned if a client has a suspended, revoked, or not eligible status with Virginia DMV or their home state of licensure. In addition, ASAP clients under a DMV interlock requirement, cannot begin to earn installed interlock credit until the date they obtain a valid, hard copy picture driver's license from the Virginia DMV. Clients licensed another state must comply with all requirements of the Virginia DMV for out-of-state drivers, by achieving a "Not Licensed-No Fees Owed", status with the Virginia DMV and obtaining a valid hard-copy picture driver's license from their home state of licensure before they can begin earning installed interlock credit. ____
12. For all installed ignition interlock clients, failure to maintain compliance with DMV requirements in Virginia, and in your home state of licensure, can result in a suspension of license and an interruption of earned installed ignition interlock credit. Clients will begin earning installed ignition interlock credit once they have complied with all outstanding requirements of the DMV in Virginia and their home state of licensure. The days of ineligibility to earn installed ignition interlock credit will be tolled upon the end of the initial required term of ignition interlock. ____
13. ASAP clients, while in proximity of the ignition interlock, are required to avoid substances which may contain alcohols and avoid using any substances, whatsoever, other than water, within 15 minutes prior to providing a breath test into the interlock device. In addition, all smoking substances should be avoided while using the ignition interlock to prevent potential damage to the fuel cell. ____
14. Breath test readings above the fail point of 0.02%, and skipped rolling re-tests, are considered violations. Clients are required to provide a second breath sample within 15 minutes of any failed or skipped test. The second breath sample provides the ASAP with additional information to determine if the failed, or skipped, breath test was due to consumed alcohol. ____
15. ASAP clients are solely responsible for all activity on the interlock device. The photos collected by the camera installed in the vehicle may be used to prove otherwise. All situations in which the person providing a breath sample on the device, or the device itself, are not clearly visible and identifiable in the photos captured by the interlock camera will be considered interlock violations. ASAP clients who permit another person to supply a breath test on the interlock device, in an attempt to start the vehicle on behalf of the client or an attempt to clear a violation breath sample given by the client, violate Virginia Code 18.2-270.1. The client and any involved parties may be charged with a Class 1 misdemeanor. ____
16. If requested, ASAP clients are required to submit formal documentation from any vehicle maintenance or repair facility to the ASAP documenting the type of service performed along with the vehicle's dates and times in and out of the repair facility. ____
17. Pursuant to Va. Code § 17.1-612, ASAP clients who directly, or indirectly, subpoena staff members of the VASAP state office for testimony at any court hearing may be subject to payment of the witness's daily mileage and toll expenses. ____
18. ASAP clients agree that ASAP is the custodian of record of ignition interlock reports generated from the interlock device data contained in the interlock provider's server, which is made at or near the time of the occurrence of the event(s) set forth therein, and that such reports and records are kept in the ordinary course of regularly conducted business activity of monitoring ASAP interlock clients, and that such records are made by ASAP caseworkers as a regular practice in monitoring a client's compliance with the interlock. ____
19. ASAP clients are required to complete their final calibration on or after their interlock compliance end date. No interlock device shall be removed without ASAP authorization. ____
20. These conditions and terms will remain in effect until successful completion of all court and/or DMV ignition interlock requirements. By signing below, I acknowledge that I have received a copy of and understand all conditions and information contained in this Ignition Interlock Participation Agreement. ____
21. If you have pre-enrolled for ignition interlock services, the ASAP will send a letter to the court on the date of your DUI hearing providing the court with the date of your ASAP pre-enrollment, the date of your interlock installation, and any interlock violations if incurred. ____

Notice

The Virginia Alcohol Safety Action Program (VASAP) collects the information on this form for identification purposes, to enroll you in the Virginia Alcohol Safety Action Program. You are not legally required to complete this form. You can refuse; however, VASAP cannot enroll you in the Ignition Interlock program. Program participants are subject to the terms and conditions set forth in this form. For Program enrollees, violations of the conditions outlined in the Program Guidelines may result in consequences including, but not limited to, an extension of time on the program, a return to court non-compliant, a referral for a treatment assessment, and/or termination from the program. VASAP will not share this form with other entities; however, through the program, VASAP collects driver's information that may be released to the following: state and federal enforcement agencies; licensing boards and agencies; state and federal courts; law enforcement agencies and prosecutorial authorities; persons and entities named pursuant to a court order; and any other person or entity authorized by state or federal law.

Signature

Date

Acuerdo de Participación de Interbloqueo de Ignición

www.vasap.virginia.gov

información del participante**Numero de Licencia de Conducir****Estado**

--	--	--

--	--	--

--	--	--

--	--

Primer nombre:

Segundo
nombre:

Apellido:

Dirección:

Ciudad / Código Postal

Numero de
Teléfono:Fecha de
nacimiento:

Correo electrónico:

Acuerdo

Al firmar a continuación, reconozco que he revisado y acepto cumplir con los términos del Acuerdo de Participación de interbloqueo de ignición de VASAP y todas las leyes relacionadas con el programa de Virginia Interlock publicadas en el Código de Virginia.

Todos los participantes del interbloqueo de ignición VASAP están requeridos de cumplir con las siguientes condiciones:

1. Clientes de ASAP condenados por un primer delito de DUI deben instalar un dispositivo de interbloqueo de ignición en cualquier vehículo que operen, a menos que el tribunal ordene lo contrario. Clientes de ASAP condenados por un segundo delito de DUI o un delito subsecuente deben instalar un dispositivo de interbloqueo de ignición en cualquier vehículo que operen y en cualquier vehículo registrado o titulado a su nombre, en su totalidad o en parte. _____
2. Tanto los clientes de interbloqueo ordenado por el tribunal como los administrativos del DMV están requeridos a completar la inscripción en un ASAP local para abrir un caso para los servicios de monitoreo de interbloqueo de ASAP. _____
3. Para los casos de interbloqueo administrativo del DMV, la tarifa de monitoreo de interbloqueo ASAP es de \$50 por mes. El ASAP no cumplirá con éxito ningún requisito de interbloqueo con el DMV en el que el saldo de la tarifa del ASAP no se pague en su totalidad. Los clientes que tienen un saldo de tarifas de ASAP con 60 días o más de atraso están sujetos a que ASAP cancele sus servicios de monitoreo de interbloqueo. ____
4. Clientes bajo cualquier requisito de interbloqueo de ignición deben notificar a la ASAP inmediatamente si registran o titulan un vehículo nuevo. El vehículo nuevo debe tener un dispositivo de bloqueo aprobado por ASAP instalado dentro de los 10 días del calendario de registrar o titular el vehículo, si está relacionado con una segunda condena por DUI o subsecuente, una primera condena por DUI cuando el tribunal exigió que se instalara un bloqueo en todos los vehículos, o una primera condena por DUI donde el cliente tiene la intención de operar el vehículo. Falla de instalar el interbloqueo de ignición en todos los vehículos requeridos puede resultar en una suspensión de la licencia del DMV, una interrupción en la elegibilidad del cliente para obtener crédito del interbloqueo instalado o la pérdida y restablecimiento de todo el crédito de bloqueo instalado previamente acumulado. El cliente no será elegible para comenzar a ganar crédito de interbloqueo instalado hasta que se instale un interbloqueo en todos los vehículos requeridos y el cliente vuelve a estar en conformidad con el DMV de Virginia ("Con licencia" para conductores de Virginia, "Sin licencia, sin tarifas adeudadas" para titulares de licencias de fuera del estado). _____
5. Clientes de ASAP ordenados por el tribunal que buscan una exención para conducir el vehículo de un empleador sin un dispositivo de interbloqueo instalado deben solicitar que el empleador presente una petición ante el tribunal. El cliente no debe tener el control ni la propiedad del negocio en su totalidad o en parte. Si se concede una exención de empleador dentro de una licencia restringida emitida por el tribunal, el cliente aún esta requerido de instalar un dispositivo de interbloqueo en un vehículo personal, obtener la licencia adecuada con el DMV de Virginia y cumplir con la licencia de su estado de origen para satisfacer el requisito. Si el tribunal lo aprueba, los clientes de ASAP y su empleador deben completar la Solicitud de

exención de empleo del programa de interbloqueo de ignición de VASAP en su totalidad y devolverla de inmediato a su centro de servicio de ASAP lo antes posible. _____

6. El dispositivo de interbloqueo de ignición ordenado por el tribunal debe instalarse dentro de los 30 días posteriores a la fecha de vigencia que figura en el Formulario DC-266 Orden de Interbloqueo de Ignición. El dispositivo de interbloqueo debe calibrarse al menos cada 30 días según el Código de Virginia 18.2-270.1. _____
7. Clientes de ASAP que instalen interbloqueo en un vehículo que no les pertenece deben llenar un "Formulario de Consentimiento para Instalación de Interbloqueo de Ignición VASAP" ("VASAP Ignition Interlock Consent to Install Form") y proporcionar el documento al técnico de interbloqueo en el momento de la instalación. El documento en Inglés debe estar certificado ante un notario al menos que el propietario del vehículo esté presente en la cita de instalación. _____
8. Clientes de ASAP no pueden cambiar de proveedores de interbloqueo después de la instalación del dispositivo a menos que lo apruebe la Comisión de VASAP. _____
9. El crédito del tiempo del interbloqueo de ignición instalado para clientes ordenado por el tribunal no se puede obtener si un cliente está en estatus suspendido, revocado o no es elegible con el DMV de Virginia o en su estado de origen de la licencia. Los clientes de ASAP bajo un requisito de interbloqueo ordenado por el tribunal deben cumplir con todos los términos de la orden de licencia restringida emitida por el tribunal (DC265) y todos los requisitos de licencia del DMV para obtener crédito de interbloqueo instalado. _____
10. El documento de orden de licencia restringida emitido por el tribunal (DC265) expira a los 60 días a partir de la fecha de vigencia de la orden emitida originalmente, a menos que esté acompañado de una licencia impresa válida del DMV de Virginia. Las personas con licencia de conducir en otro estado en el momento de la condena de DUI en Virginia también deben cumplir con los requisitos de cumplimiento de 60 días con el DMV de Virginia al lograr el estatus "Sin licencia, sin cargos adeudados" ("Not Licensed-No Fees Owed") con el DMV de Virginia y al obtener una copia de la licencia válida de conducir de su estado de origen. _____
11. El crédito de interbloqueo de ignición instalado para clientes administrativos del DMV no se puede obtener si el cliente tiene la licencia en estatus suspendido, revocado o no es elegible con el DMV de Virginia o su estado de origen. Además, los clientes de ASAP bajo un requisito de interbloqueo del DMV no pueden comenzar a obtener crédito de interbloqueo instalado hasta la fecha en que obtengan una licencia de conducir sea válida, impresa y con fotografía del DMV de Virginia. Clientes con licencia de otro estado deben cumplir con todos los requisitos del DMV de Virginia para conductores de fuera del estado, logrando un estado de "Sin licencia- Sin cargos adeudados" ("Not Licensed-No Fees Owed") en el DMV de Virginia y obteniendo una licencia de conducir válida con fotografía impresa de su estado de origen de la licencia antes de que puedan comenzar a obtener crédito del interbloqueo instalado. _____
12. Para todos los clientes de interbloqueo de ignición instalado, el incumplimiento de los requisitos del DMV en Virginia y en su estado de origen de la licencia, puede resultar en una suspensión de la licencia y una interrupción del crédito obtenido de interbloqueo de ignición instalado. Clientes comenzarán a obtener crédito del interbloqueo de ignición instalado una vez que hayan cumplido con todos los requisitos pendientes del DMV en Virginia y su estado de origen de la licencia. Los días de inelegibilidad para obtener crédito de interbloqueo de ignición instalado serán cobrados al final del plazo inicial requerido del interbloqueo de ignición. _____
13. Clientes de ASAP, mientras estén cerca del dispositivo del interbloqueo de ignición, están requeridos evitar sustancias que puedan contener alcohol y evitar el uso de cualquier sustancia que no sea agua, dentro de los 15 minutos previos a realizar una prueba de aliento en el dispositivo de interbloqueo de ignición. Además, se deben evitar todas las sustancias para fumar mientras se utiliza el dispositivo de interbloqueo de ignición para evitar posibles daños a la pila de combustible. _____
14. Las lecturas de la prueba de aliento por encima del punto de falla del 0.02% y la omisión de nuevas pruebas se consideran violaciones. Se requiere que los clientes proporcionen una segunda muestra de aliento dentro de los 15 minutos a cualquier prueba fallida u omitida. La segunda muestra de aliento proporciona al ASAP información adicional para determinar si la prueba de aliento fallida u omitida se debió al consumo de alcohol. _____
15. Clientes de ASAP son los únicos responsables de toda la actividad en el dispositivo del interbloqueo. Las fotografías coleccionadas por la cámara instalada en el vehículo podrán utilizarse para demostrar lo contrario. Todas las situaciones en las que la persona que proporciona una muestra de aliento en el dispositivo, o el dispositivo en sí, no son claramente visibles e identificables en las fotografías capturadas por la cámara del dispositivo de interbloqueo se considerarán violaciones del dispositivo de interbloqueo. Clientes de ASAP que permiten que otra persona realice una prueba de aliento en el dispositivo de interbloqueo, en un intento de arrancar el vehículo en el beneficio y nombre del cliente o en un intento de borrar una muestra de aliento de infracción proporcionada por el cliente, violan el Código de Virginia 18.2-270.1. El cliente y cualquier parte involucrada pueden ser acusados de un delito menor de Clase 1. _____

16. Si se solicita, clientes de ASAP están requeridos a presentar documentación formal de cualquier centro de reparación o mantenimiento de vehículos al ASAP que documente el tipo de servicio realizado junto con las fechas y horas del vehículo dentro y fuera del centro de reparación. _____
17. De conformidad con el Código de Virginia § 17.1-612, clientes de ASAP que directa o indirectamente citan a miembros del personal de la oficina estatal de VASAP para que testifiquen en cualquier audiencia judicial pueden estar sujetos al pago del kilometraje diario del testigo y los gastos de peaje. _____
18. Clientes de ASAP aceptan que ASAP es el custodio del récord de los reportes de interbloqueo de ignición generando datos contenido por dispositivo de interbloqueo en el servidor del proveedor de interbloqueo, que se realiza en o cerca del momento en que ocurren los evento(s) establecidos en el mismo y que dichos informes y registros se mantengan en el curso normal de la actividad comercial realizada regularmente para monitorear a los clientes de interbloqueo de ASAP, y que dichos registros sean realizados por el administrador de casos de ASAP como una práctica regular para monitorear el cumplimiento del interbloqueo por parte de un cliente. _____
19. Clientes de ASAP están requeridos que su calibración final sea en o después de la fecha de finalización del cumplimiento del interbloqueo. No se retirará ningún dispositivo de interbloqueo sin la autorización de ASAP. _____
20. Estas condiciones y términos permanecerán vigentes hasta que se complete con éxito todos los requisitos de interbloqueo de ignición del tribunal y/o del DMV. Al firmar a continuación, reconozco que he recibido una copia y comprendo todas las condiciones e información contenidas en este Acuerdo de Participación de interbloqueo de ignición. _____
21. Si se ha preinscrito para los servicios de interbloqueo de ignición, el ASAP enviará una carta al tribunal en la fecha de su audiencia por DUI proporcionando al tribunal la fecha de su preinscripción en el ASAP, la fecha de instalación de su interbloqueo y cualquier violación del interbloqueo, si se ha incurrido. _____

Aviso

El Programa de acción para la seguridad del alcohol de Virginia (VASAP) recopila la información de este formulario con fines de identificación para inscribirlo en el Programa de acción para la seguridad del alcohol de Virginia. No está obligado legalmente a completar este formulario. Puedes negarte; sin embargo, VASAP no puede inscribirlo en el programa de interbloqueo de ignición. Los participantes del programa están sujetos a los términos y condiciones establecidos en este formulario. Para los inscritos en el programa, las violaciones de las condiciones descritas en las pautas del programa pueden tener consecuencias que incluyen, entre otras, una extensión del tiempo en el programa, un regreso a la corte en incumplimiento, una remisión para una evaluación de tratamiento y/o terminación del programa. VASAP no compartirá este formulario con otras entidades; sin embargo, a través del programa, VASAP recopila información del conductor que puede divulgarse a lo siguiente: agencias estatales y federales de hacer cumplir la ley; comités y agencias de licenciatura; tribunales estatales y federales; de las autoridades policiales y autoridades fiscales; personas y entidades nombradas conforme a una orden judicial; y cualquier otra persona o entidad autorizada por la ley estatal o federal.

Signature

Date



VIRGINIA ALCOHOL SAFETY ACTION PROGRAM
Virginia Ignition Interlock Program Employment Exemption
Application

Print Form

www.vasap.virginia.gov				
------------------------	--	--	--	--

Application Packet

Please read the following instructions carefully.

There are two parts to the Virginia Ignition Interlock Program Employment Exemption Application

- Page 2 must be filled out by the ignition interlock participant.
- Page 3 must be filled out by the participant's employer.

This form must be submitted to your servicing Alcohol Safety Action Program.

EMPLOYEE SECTION - to be filled out by the ignition interlock participant.

			-				-			
--	--	--	---	--	--	--	---	--	--	--

Driver's License Number

--	--

State of issue

First Name Middle Name Last Name Phone Number Date of birth

Address City State Zip Email Address

List your occupations and job duties. If more space is needed, please attach a separate piece of paper.

1. I understand that if I am granted an employment exemption, I will still be required to install the ignition interlock device on another vehicle. **X** Signature
2. I understand that the employment exemption is only valid for operating a company vehicle for business purposes and not for personal use. **X** Signature
3. I understand if my employment changes, I will notify my servicing ASAP in writing within 10 days. **X** Signature
4. I certify that I am not self- employed. **X** Signature
5. I certify that I do not own or partially own the business for which I am applying for an employment exemption. **X** Signature

If granted an employment variance, you must keep it with you while driving. The variance is effective for one year. You must reapply annually.

Notice

What is the purpose of supplying the requested information?

The Virginia Alcohol Safety Action Program (VASAP) collects the information on this form for identification purposes, for verification that the requirements of Virginia Code 18.2-270.1 (I) are met.

Am I required to provide the requested information?

You are not legally required to complete this form.

What will happen if I do not provide the requested information?

You can refuse; however, VASAP may consider your form incomplete and will forward the information to the court's attention.

Who will have access to the requested information?

VASAP may disclose personal information when it relates to the operation or use of a vehicle or to public safety. The use of personal information relates to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property. The personal information you provide to request employment exemption in the Ignition Interlock Device Program is classified by 18 U.S.C. § 2721 and is subject to the disclosure in accordance with these laws.

I verify the information on this document is truthful and accurate. I understand that any false information provided may result in my case being sent back to the court non-compliant.

Signature Date

Subscribed and sworn before me this ____ Day of _____, 20____
Notary Public _____ County _____
My Commission Expires _____

Notary Stamp

EMPLOYER SECTION - to be filled out by the applicant's employer.

Your employee is enrolled in the Virginia Ignition Interlock Program. As a participant in the Program, your employee is required to only drive vehicles equipped with an ignition interlock device. Per Virginia Code 18.2-270.1 (I), a participant may drive an employer- owned vehicle without an ignition interlock device if the employer consents.

Employer Consent

Full Name (First, Middle, Last of Employee) Employee Driver License Number

Name of Employer / Company Employer / Company Address City State Zip

1. Is this employee an owner or partial owner of the business for which the employee is applying for the employment exemption (Minnesota Rule 7503.1775)? ☐ Yes ☐ No
2. Does the employee need to drive the company vehicle to and from their home to work? ☐ Yes ☐ No
3. Does the employee need to drive the company vehicle on the job for employment purposes? ☐ Yes ☐ No
4. Will the employee be using the company-owned vehicle for personal use? ☐ Yes ☐ No

List the employee's job duties that require the use of the company vehicle. If more space is needed, please attach a separate piece of paper.

Notice

What is the purpose of supplying the requested information?

The Virginia Alcohol Safety Action Program (VASAP) collects the information on this form for identification purposes, for verification that the requirements of Virginia Code 18.2-270.1 (I) are met.

Am I required to provide the requested information?

You are not legally required to complete this form.

What will happen if I do not provide the requested information?

You can refuse; however, VASAP may consider your form incomplete and will forward the information to the court's attention.

Who will have access to the requested information?

VASAP may disclose personal information when it relates to the operation or use of a vehicle or to public safety. The use of personal information relates to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property. The personal information you provide to request employment exemption in the Ignition Interlock Device Program is classified by 18 U.S.C. § 2721 and is subject to the disclosure in accordance with these laws.

I hereby certify that the above name employee's job responsibilities require him/her to operate a company vehicle. I am aware that he/she is currently restricted to drive vehicles equipped with an ignition interlock device. I further understand that this employment exemption is only valid for operating a company vehicle for business purposes and not for personal use.

Print Name of Authorized Representative Phone Number Title

Signature of Authorized Representative Date

Subscribed and sworn before me this ____Day of____, 20____
Notary Public____County____
My Commission Expires____





VIRGINIA ALCOHOL SAFETY ACTION PROGRAM
Unaffordability Application
for Ignition Interlock Servicing and Monitoring

Print Form

Instructions: If you have been declared indigent by the court and are seeking unaffordability for ignition interlock fees, you are required to complete this form in its entirety and supply all requested documentation for your request to be considered.

www.vasap.virginia.gov

Ignition Interlock Program Participant Information

First Name Middle Name Last Name Driver's License Number

Address City State Zip

Date of Birth Phone Number Email Address

Part I - you must provide a recent qualification or acceptance letter from the agency or department providing the benefits you checked below. Your name must be on the letter. An ID card is not an acceptable proof of enrollment. Please do not send original documentation, it will not be returned. Thank you.

- ☐ CCAP- Child Care Assistance Program ☐ NSLP – National School Lunch Program ☐ EAP- Energy Assistance Program
- ☐ NSLP – National School Lunch Program ☐ WIC – Women, Infants and Children Program ☐ Head Start
- ☐ SNAP-Supplemental Nutrition Assistance Program (Food Stamps) ☐ TANF – Temporary Assistance for Needy Families
- ☐ MA -Medical Assistance/Medicaid ☐ GA – General Assistance Medical Care Program
- ☐ SSI – Supplemental Security Income.
Note: SSI is not Social Security Disability

Part 2 – please provide all information requested below:

Annual Income: \$ Employer Name: Hours worked per week:

If unemployed, please list the reason why:

Federal Adjusted Gross Income for Prior Year's Tax Return: \$ Spouse Salary: \$

Number of dependents: Child support received: \$ Total of all bank accounts: \$

Owned vehicles (include make, model and year):

Monthly expenses (please list the expense type and monthly amount for each):

Part 3 – please provide the past 90 days-worth of bank and credit card statements.

Notice:

What is the purpose of supplying the requested information?

The Virginia Alcohol Safety Action Program (VASAP) collects the information on this form for identification purposes, for consideration for unaffordability in the Virginia Ignition Interlock Program, and as outlined in Virginia Code 18.2-270.2 (C) and 24VAC35-60-50 (E).

Am I required to provide the requested information?

You are not legally required to complete this form.

What will happen if I do not provide the requested information?

You can refuse; however, the Virginia Alcohol Safety Action Program may consider your application incomplete and will be unable to process your request for unaffordability.

Who will have access to the requested information?

The Virginia Alcohol Safety Action Program may disclose personal information when it relates to the operation or use of a vehicle or to public safety. The use of personal information relates to public safety if it concerns the physical safety or security of drivers, vehicles, pedestrians, or property.

I verify the information on this document is truthful and accurate. I understand that providing any false information will prohibit me from receiving unaffordability and require that I pay the regular fees for the remainder of my time in the ignition interlock device program.

X

Signature

Date