

IGNITION INTERLOCK NOTICE – DUI CASES

If you are Nevada-licensed driver convicted of either first or second offense Driving Under the Influence (DUI), the Court must decide whether to order you to install an “ignition interlock” at your own expense in any motor vehicle you operate as a condition of: (a) obtaining a restricted license pursuant to NRS 483.490 or (b) reinstatement of the privilege to drive.

An “ignition interlock” is a device that will not allow a motor vehicle to start unless the device registers a breath test result containing a concentration of alcohol of less than 0.02.

If you are ordered to install ignition interlock, you may operate an employer-owned motor vehicle that you must drive in the course and scope of your employment even though an ignition interlock is not installed in that vehicle, as long as you: (a) notify your employer about the ignition interlock order; and (b) have proof of that notice, or the notice or a copy of it, in your possession or in that vehicle.

This employer-owned motor vehicle exemption does not apply to a vehicle owned by a business which is all or partly owned or controlled by you.

Any ignition interlock device that is installed must be certified for use by Nevada’s Committee on Testing for Intoxication [CTI] and will require installation, inspection and removal fees.

First & Second Offense <0.18 DUI Cases – Court Shall Order Ignition Interlock.

If you are convicted of either first offense or second offense DUI, and the breath or blood test result for your case was a concentration of alcohol of less than 0.18 [<0.18], the Court shall require you to install ignition interlock for a minimum of 185 days unless the Court determines this would cause an undue hardship upon a person. NRS 484C.460

First & Second Offense ≥ 0.18 DUI Cases – Ignition Interlock Required, Unless Hardship

If you are convicted of first or second offense DUI, and the breath or blood test result for your case was a concentration of alcohol of equal to or greater than 0.18 [≥ 0.18], the Court *must* order you to install ignition interlock for a period of not less than 12 months nor more than 36 months. NRS 484C.460

The Court may provide for an exception if the court determines that (a) the person is unable to provide a deep lung breath sample for a device, as certified in writing by a physician or an advanced practice registered nurse of the person; OR (b) the person resides more than 100 miles from a manufacturer of a device or its agent.

Installment/Running Period for Ignition Interlock Order

If the Court orders you to install ignition interlock, the running of the period during which you are required to have it installed shall commence when the Nevada Department of Public Safety issues a restricted license to you or reinstates your driving privilege, subject to “tolling” provisions, as applicable.

The installment period for <0.18 DUI cases is not less than 185 days. The installment period for >=0.18 DUI cases is not less than 12 months, nor more than 36 months.

Contents of Ignition Interlock Order

The Court must immediately prepare and transmit a copy of an ignition interlock installation order to the director of the Nevada Department of Public Safety. Any ignition interlock order of the XXX Justice Court will provide that an ignition interlock is required and specify the period for which it is required.

Consequences of Ignition Interlock Order

You must provide proof of compliance to the DMV that the Ignition Interlock has been installed on any motor vehicle that you operate as a condition before you can receive a restricted license or have your driving privileges reinstated, as applicable. The Nevada Department of Motor Vehicles and Public Safety will make ignition interlock orders part of its records and note them as restrictions on your driver's license.

Your Responsibilities to Have Ignition Interlock Inspected

A person is required to have the device inspected at least once every 90 days during the installment period. NRS 484C.460 (4) You may need to have it inspected more frequently to insure the device is properly calibrated.

Violation of Ignition Interlock Order

A person required to install an ignition interlock shall not operate a motor vehicle without a device and a person shall not tamper with the ignition interlock. NRS 484C.470 (2).

A person violating an ignition interlock order shall be punished by: (a) a jail term of not less than 30 days nor more than 6 months, OR (b) a term of residential confinement of not less than 60 days, nor more than 6 months and by a fine of not less than \$500.00, nor more than \$1,000.00. NRS 484C.470 (3). A person convicted of NRS 484C.470 (1) is not probation eligible. NRS 484C.470

Additionally, a person who violates an Ignition Interlock Order must have his/her driving privilege revoked for (a) 3 years for a first offense during the period of required use or (b) 5 years for a second offense during the period of required use. NRS 483.460(4). A driver whose license, permit, or driving privilege is revoked under this section is not eligible for a restricted license during the specific time frame of revocation.

Ignition interlock installation is available at the following locations in XXX County:

COUNTY: Service Provider ADDRESS., CITY, NV 89701.

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Installers need advance notice **so plan ahead.** Give yourself two weeks to get your device and/or get an appointment for installation. It takes time for the installation – 2 to 3 hours. You will need to wait at the location while installation takes place. Take your court order and your photo ID with you. This time frame may take longer due to the COVID-19 restrictions in place.