

## Bayfield County Procedure

### Effective on all violation dates of 7/01/10 or later, IID's are now required to be installed if the defendant is convicted of:

- 1<sup>st</sup> OWI with a PAC of .15 or higher;
- All repeat OWI's
- Refusals

### Defendants convicted of 1<sup>st</sup> Offense:

- Will **not** be given a CSR or IID order.
- \$50 IID surcharge will be included in total forfeiture amount.
- Defendants should be given an information sheet in court re. information on IID.

Defendants should be told that the conviction information will be sent electronically to DMV within a few days. They can then contact DMV to make sure they have the information prior to applying for an occupational license (OL). DMV by law will require proof of IID installation on all vehicles owned or registered to the defendant before issuing an OL or reinstating operating privileges.

Defendants may currently have an OL because their 30 day temporary license has expired. They should be told to check with DMV to see if the status of their OL has changed due to the IID installation requirement.

### Criminal OWI Cases:

- \$50 IID surcharge should be added to fine amount, the Court orders the correct fine and costs.
- The Court informs the defendant he/she should pick up the information in the literature rack in the hallway that lists companies/vendors that install IIDs.

# Ignition Interlock Device

## What the Law Says

If you are convicted of Operating a Motor Vehicle while Intoxicated, Operating with a Prohibited Alcohol Concentration or Improperly Refusing to Take a Test for Intoxication, Wis. Stat. § 343.301(1g) requires you to equip **any vehicle you drive** (whether or not it belongs to you) **and any vehicle registered in your name** (even if there is also another name on the title) with an **Ignition Interlock Device (IID)** if:

- This is your first OWI/PAC conviction and your blood alcohol level was .15 or higher; or
- This is your 2<sup>nd</sup>, 3<sup>rd</sup> or additional offense no matter what your blood alcohol level was; or
- Your refusal to take an intoxication test is found to be unreasonable by the court.

**You will be responsible for paying for the IID.** The cost of installing and maintaining an IID on your vehicle can be estimated at \$1,000 per vehicle per year. The court will determine in your case how long you have to have the IID on your vehicle(s) and when the order will start.

### Cost Reduction on IID

**You may qualify for a 50% reduction in the cost of installing and maintaining an IID on your vehicle or vehicles.**

If the court finds that your household income is at or below 150% of the federal poverty guideline, the court will limit your liability to one-half the cost of equipping your vehicle with the IID and one-half the cost of maintaining the IID.

You will automatically be found eligible for the reduced cost **if you are represented by an attorney appointed by the State Public Defender or if the Court has appointed a Criminal Defense Attorney** (because your income was low enough to qualify for that representation). If you are represented by these attorneys you do not have to apply for a reduction, it will be ordered by the judge at your sentencing hearing.

If you are **NOT** represented by an attorney from those agencies and you believe that your household income is at or below 150% of the federal poverty guideline, **you may apply for reduction in the IID cost** at the Bayfield County Clerk of Courts Office, Room 109, Bayfield County Courthouse, 117 East 5<sup>th</sup> Street, Washburn, Wisconsin 54891. You may apply before your sentencing hearing or when you come to court for sentencing. But you **MUST** have the following proof to qualify for a reduction. If you don't bring the financial proof with you to court, you will have to pay full price for the IID.

**Financial Proof Needed:** You need to bring with you a paystub within the last 30 days, recent benefit letter for SSI or other benefits, as well as proof of all other income for yourself and all adult members of your household.

## Ignition Interlock Device - What the Law Says Implied Consent Refusal Conviction - Default

You have been convicted of Improperly Refusing to Take a Test for Intoxication. Wis. Stat. §343.301(1g) requires you to equip every vehicle registered in your name even if there is also another name on the title with an Ignition Interlock Device (IID) and you may not drive any vehicle that does not have an Ignition Interlock Device.

**The IID order will last for the same time period as your driver's license revocation and is effective upon the date of the implied consent refusal conviction.**

**Below is a list of IID providers in Bayfield County. You will be responsible for paying for the IID.** The cost of installing and maintaining an IID on your vehicle can be estimated at \$1,000 per vehicle per year.

**You must contact one of the following vendors to schedule the installation of an IID in your vehicle(s):**

<b>APPROVED DEVICE MANUFACTURER</b>	<b>TELEPHONE NUMBER</b>	<b>SERVICE CENTERS</b>
Consumer Safety Technology, Inc.	1-877-777-5020	Various
Draeger Safety Diagnostics, Inc.	1-800-597-5054	Various
Lifesafar Interlock	1-800-584-1226	Various

Note: Wisconsin law provides that a person subject to an Ignition Interlock Device Order may be convicted of Operating a Motor Vehicle with a Prohibited Alcohol Concentration if the person's alcohol concentration is more than 0.02. Wis. Stats. Sec. 340.01(46m)(c).

### \$50.00 Ignition Interlock Surcharge

**Pursuant to §343.301(5) the court has ordered that you pay a \$50.00 Ignition Interlock Surcharge to the Clerk of Court. This amount is payable to the Bayfield County Clerk of Court's Office, P.O. Box 536, Washburn, Wisconsin 54891 and is due within 60 days of the date of the implied consent refusal conviction.**

### Cost Reduction on IID Installation and Maintenance

**You may qualify for a 50% reduction in the cost of installing and maintaining an IID on your vehicle or vehicles.**

If the court finds that your household income is at or below 150% of the federal poverty guideline, the court will limit your liability to one-half the cost of equipping your vehicle with the IID and one-half the cost of maintaining the IID.

Currently, for a single person it is \$16,245/year; family of 2 it is \$21,855/year; and family of 4 it is \$33,075/year.

If you believe that your household income is at or below 150% of the federal poverty guideline, **you may apply for reduction in the IID cost** at the Bayfield County Clerk of Courts Office, Room 109, Bayfield County Courthouse. You **MUST** have the following proof to qualify for a reduction.

**Financial Proof Needed: You need to bring with you a recent paystub received within the last 30 days, recent benefit letter for SSI or other benefits for *yourself*. You will also need to know the amount of income/benefits for all adult members of your household.**

**Applications must be made in person. Hours of application when the courthouse is open are 8:00 AM to 4:00 PM. Along with the needed financial proof, you must bring the completed application form with you when you apply. Do not sign or date the application form ahead of time. The application form is on the reverse side of this document. \*\*\*APPLICATIONS WITHOUT THE NEEDED DOCUMENTATION AND INFORMATION WILL NOT BE PROCESSED.\*\*\***

## Ignition Interlock Device - What the Law Says 1<sup>st</sup> Offense OWI

If you are convicted of Operating a Motor Vehicle while Intoxicated, Operating with a Prohibited Alcohol Concentration or Improperly Refusing to Take a Test for Intoxication, Wis. Stat. § 343.301(1g) requires you to equip every vehicle registered in your name even if there is also another name on the title with an Ignition Interlock Device (IID) and you may not drive any vehicle that does not have an Ignition Interlock Device (IID) if:

- This is your first OWI/PAC conviction and your blood alcohol level was .15 or higher; or
- This is your 2<sup>nd</sup> offense no matter what your blood alcohol level was; or
- Your refusal to take an intoxication test is found to be unreasonable by the court.

The IID order will last for one year from the date you obtain a new license or occupational license.

**You will be responsible for paying for the IID.** The cost of installing and maintaining an IID on your vehicle can be estimated at \$1,000 per vehicle per year.

If you are convicted and ordered to install an Ignition Interlock Device in your vehicle(s), it is your responsibility to have the device installed and pay all costs associated with the installation, service, repair, and removal of the device.

<b>APPROVED DEVICE MANUFACTURER</b>	<b>TELEPHONE NUMBER</b>	<b>SERVICE CENTERS</b>
Consumer Safety Technology, Inc.	1-877-777-5020	Various
Draeger Safety Diagnostics, Inc.	1-800-597-5054	Various
Lifesafar Interlock	1-800-584-1226	Various

Note: Wisconsin law provides that a person subject to an Ignition Interlock Device Order may be convicted of Operating a Motor Vehicle with a Prohibited Alcohol Concentration if the person's alcohol concentration is more than 0.02. Wis. Stats. Sec. 340.01(46m)(c).

### Cost Reduction on IID

**You may qualify for a 50% reduction in the cost of installing and maintaining an IID on your vehicle or vehicles.**

If the court finds that your household income is at or below 150% of the federal poverty guideline, the court will limit your liability to one-half the cost of equipping your vehicle with the IID and one-half the cost of maintaining the IID.

Currently, for a single person it is \$16,245/year; family of 2 it is \$21,855/year; and family of 4 it is \$33,075/year.

If you believe that your household income is at or below 150% of the federal poverty guideline, **you may apply for a reduction in the IID cost** at the Bayfield County Clerk of Courts Office, Room 109, Bayfield County Courthouse. You may apply before your sentencing hearing or when you come to court for sentencing. But you **MUST** have the following proof to qualify for a reduction.

**Financial Proof Needed:** You need to bring with you a recent paystub received within the last 30 days, recent benefit letter for SSI or other benefits for *yourself*. You will also need to know the amount of income/benefits for all adult members of your household.

**Applications must be made in person.** Hours of application when the courthouse is open are 8:00 AM to 4:00 PM. Along with the needed financial proof, you must bring the completed application form with you when you apply. Do not sign or date the application form ahead of time. The application form is on the reverse side of this document. **\*\*\*APPLICATIONS WITHOUT THE NEEDED DOCUMENTATION/INFORMATION WILL NOT BE PROCESSED.\*\*\***

## Ignition Interlock Device - What the Law Says 2nd and Subsequent OWI

If you are convicted of Operating a Motor Vehicle while Intoxicated, Operating with a Prohibited Alcohol Concentration or Improperly Refusing to Take a Test for Intoxication, Wis. Stat. § 343.301(1g) requires you to equip every vehicle registered in your name even if there is also another name on the title with an Ignition Interlock Device (IID) and you may not drive any vehicle that does not have an Ignition Interlock Device (IID) if:

- This is your first OWI/PAC conviction and your blood alcohol level was .15 or higher; or
- This is your 2<sup>nd</sup> offense no matter what your blood alcohol level was; or
- Your refusal to take an intoxication test is found to be unreasonable by the court.

**You will be responsible for paying for the IID.** The cost of installing and maintaining an IID on your vehicle can be estimated at \$1,000 per vehicle per year. The court will determine in your case how long you have to have the IID on your vehicle(s) and when the order will start. You must install necessary IID's within 2 weeks of being sentenced in order to be eligible for Huber (work release) privileges if you are sentenced to jail in this case.

**Below is a listing of the State approved vendors for installation of an IID in your vehicle:**

APPROVED DEVICE MANUFACTURER	TELEPHONE NUMBER	SERVICE CENTERS
Consumer Safety Technology, Inc.	1-877-777-5020	Various
Draeger Safety Diagnostics, Inc.	1-800-597-5054	Various
Lifesafar Interlock	1-800-584-1226	Various

Note: Wisconsin law provides that a person subject to an Ignition Interlock Device Order may be convicted of Operating a Motor Vehicle with a Prohibited Alcohol Concentration if the person's alcohol concentration is more than 0.02. Wis. Stats. Sec. 340.01(46m)(c).

### Cost Reduction on IID

**You may qualify for a 50% reduction in the cost of installing and maintaining an IID on your vehicle or vehicles.**

If the court finds that your household income is at or below 150% of the federal poverty guideline, the court will limit your liability to one-half the cost of equipping your vehicle with the IID and one-half the cost of maintaining the IID.

You will automatically be found eligible for the reduced cost **if you are represented by an attorney appointed by the State Public Defender or if the Court has appointed a Criminal Defense Attorney** (because your income was low enough to qualify for that representation). If you are represented by these attorneys you do not have to apply for a reduction, it will be ordered by the judge at your sentencing hearing.

If you are **NOT** represented by an attorney from those agencies and you believe that your household income is at or below 150% of the federal poverty guideline, **you may apply for reduction in the IID cost** at the Bayfield County Clerk of Courts Office, Room 109, Bayfield County Courthouse. Currently, for a single person it is \$16,245/year; family of 2 it is \$21,855/year; and family of 4 it is \$33,075/year. You may apply before your sentencing hearing or when you come to court for sentencing. But you **MUST** have the following proof to qualify for a reduction. If you don't bring the financial proof with you to court, you will have to pay full price for the IID.

**Financial Proof Needed:** You need to bring with you a recent paystub received within the last 30 days, recent benefit letter for SSI or other benefits for *yourself*. You will also need to know the amount of income/benefits for all adult members of your household.

**Applications must be made in person.** Hours of application when the courthouse is open are 8:00 AM to 4:00 PM. Along with the needed financial proof, you must bring the completed application form with you when you apply. Do not sign or date the application form ahead of time. The application form is on the reverse side of this document. **\*\*\*APPLICATIONS WITHOUT THE NEEDED DOCUMENTATION AND INFORMATION WILL NOT BE PROCESSED.\*\*\***

# NOTICE TO DEFENDANT

## INSTALLATION OF IGNITION INTERLOCK DEVICE (IID)

As part of your sentence for Operating a Motor Vehicle while under the Influence of an Intoxicant Offense, you were ordered to have an IID installed in your vehicle. You are hereby advised it is **your responsibility** to have the device installed and pay all costs associated with the installation, service, repair, and removal of the device.

**You must contact one of the following vendors to schedule the installation of an IID in your vehicle:**

APPROVED DEVICE MANUFACTURER	SERVICE CENTERS	TELEPHONE NUMBER
Consumer Safety Technology, Inc.	Various	1-877-777-5020
Draeger Safety Diagnostics, Inc.	Various	1-800-597-5054
Lifesaver Interlock	Various	1-800-584-1226

**NOTE!** Wisconsin law provides that a person subject to an Ignition Interlock Device Order may be convicted of Operating a Motor Vehicle with a Prohibited Alcohol Concentration if the person's alcohol concentration is more than 0.02. Wis. Stats. Sec. 340.01(46m)(c).

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

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STATE OF WISCONSIN

Plaintiff,

vs.

**ORDER OF ELIGIBILITY  
FOR HALF-PRICED IGNITION  
INTERLOCK DEVICE (IID)**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Defendant.

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Based on financial information provided to the Court by the defendant, the Court has found that the defendant's household income is no more than 150% of the federal nonfarm poverty guideline.

THEREFORE IT IS ORDERED that an Ignition Interlock Device (IID) shall be installed and maintained for 50% of the normal costs.

Dated: \_\_\_\_\_, 20\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Circuit Court Official

Notice to Ignition Interlock Vendor: This order can be verified by checking the court record for this case number at [www.wicourts.gov](http://www.wicourts.gov).

Original: Court File  
Duplicate: Defendant