



FREQUENTLY ASKED QUESTIONS ABOUT IIDs

Q&A: VIOLATIONS

Q: What happens if my breath alcohol concentration rises above 0.02% while I am driving?

A: If the driver was able to start the vehicle and, while driving their breath alcohol concentration rises above 0.02%, they will FAIL the next rolling retest sample and the confirmation process will begin. If the confirmation retest result is also a FAIL, a violation will be recorded, and alert mode activated. The driver then must decide whether they want to continue to operate a vehicle with activated emergency lights and the horn honking or pull over and hope they will be able to restart their vehicle.

Q: What is alert mode and when is it activated?

A: Alert mode is when the vehicle’s emergency lights flash and the horn honks after a retest confirmation result of FAIL, ABORT or REFUSAL. Law enforcement has been trained this may indicate a license restriction violation.

The following table explains happens for each possible retest confirmation results and alert mode status:

| Result | More Attempts? | Violation? | Alert Mode? | Free Restart? | Details |
|---------|----------------|------------|-------------|---------------|----------------------------|
| PASS | No | No | No | Yes | Ends an active alert mode |
| ABORT | 2 or more | Yes | After 5:00 | No | 3 or more attempts allowed |
| FAIL | No | Yes | Yes | No | Only one FAIL allowed |
| REFUSAL | --- | Yes | After 5:00 | No | No sample attempted |

The only way to end the alert mode is to either provide a PASS on a subsequent retest or park and turn the engine off. After approximately 2 minutes, a sample PASS will be required to restart the vehicle.

Q: What is a “violation reset”?

A: A violation reset is triggered if one of three situations occurs:

- Accumulation of three violations within a 60-day service interval
- Device detects a sample that is not from a person
- Device is disconnected while the vehicle is running (tampering)

The next time the driver attempts to start the vehicle, the device will either display a flashing light or message indicating service is required. As soon as you see this indicator, you must contact your provider to schedule an appointment for service. You will be required to return for service within 7 days, and pay a violation reset fee.

Q: What gets reported to the Sheriff?

A: The sheriff in the counties where the offender was convicted and live (if different) are immediately notified after violation reset service if tampering is detected during the vehicle inspection or if they do not report for regularly scheduled service. The District Attorney could pursue legal action in any of these situations.

There is no report when the offender complies with all conditions of their orders.



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Q: Why do I have to pay extra for a violation reset?

A: When a violation reset occurs, the offender must return to the service center within seven days. Since this appointment occurs outside of any regularly scheduled activity, the service center must make available staff and materials to accommodate the shortened timeframe. At a violation reset service appointment, the device and wiring are inspected, and offender data is uploaded and reviewed by vendor program compliance staff before being reported to the sheriff.

There are costs associated with each of these activities, which are ultimately passed on to the offender. There are no provisions for reduced fees for low-income offenders for violation reset service.