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NHTSA Technical Report**

April 1988

Second Workshop on In-Vehicle Alcohol Test Devices

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16. Abstract <p>On October 14, 1987, a one-day workshop sponsored by the National Highway Traffic Safety Administration (NHTSA) was held at the Department of Transportation in Washington, DC. The purpose was to bring interested persons together, including manufacturers, legislators, judges, researchers, safety-related program personnel, and the public to review new developments in the state of the art of in-vehicle alcohol test devices and to exchange information about recent developments in State and local applications of this new technology. More than seventy people from outside the Federal government attended, representing a wide range of interests, perspectives and knowledge.</p> <p>The workshop covered the following five topics:</p> <ol style="list-style-type: none"> 1) Legislation and Ongoing Programs 2) In-Vehicle Alcohol Test Devices - Recent and New Developments 3) In-Vehicle Alcohol Test Devices - Certification Testing 4) Field Evaluation Research - Ongoing and Planned 5) Information Needs and Methods for Exchange <p>This document highlights new information and viewpoints raised, while providing information about the topics covered, and persons attending.</p>					
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PREFACE

On October 14, 1987, a one-day workshop sponsored by the National Highway Traffic Safety Administration (NHTSA) was held at the Department of Transportation in Washington, DC. The purpose was to bring interested persons together, including manufacturers, legislators, judges, researchers, safety-related program personnel, and the public to review new developments in the state of the art of in-vehicle alcohol test devices and to exchange information about recent developments in State and local applications of this new technology.

More than seventy people from outside the Federal government attended, representing a wide range of interests, perspectives and knowledge (see Appendix A for list of attendees).

This document highlights new information and viewpoints raised, while providing information about the topics covered, and persons attending. Arrangements were not made to publish detailed proceedings of the workshop; however, some presenters prepared written versions of their papers. Requests for single copies of the written version of available papers (marked by asterisks on the following pages) may be sent to NHTSA, Office of Driver & Pedestrian Research (NRD-40), 100 Seventh St., SW, Washington, DC 20590.

BACKGROUND

In 1986, NHTSA sponsored its first workshop on in-vehicle alcohol test devices. The highlights of that 1986 meeting were summarized in a short, NHTSA Technical Report (Technical Report # DOT HS 807 145). That report included a one-page historical overview of the area of in-vehicle alcohol test (IVAT) devices, and referred readers to a more complete review of the period up to the early 1980s in a paper presented at a Transportation Research Board Meeting in 1984. (1)

This 1987 meeting was a logical follow-on to the first workshop. While the focus has shifted from feasibility to implementation, numerous practical and technical questions continue to be asked. This workshop was one forum at which those questions could be posed, and different points of view aired.

(1) Snyder, M. B. "The Drunk Driving Warning System - Status Review." Presented at the 63rd Annual Meeting of the Transportation Research Board, January 13, 1984. Copies of this paper may be obtained from the Office of Driver & Pedestrian Research, National Highway Traffic Safety Administration, Washington, DC 20590.

WORKSHOP ORGANIZATION AND TOPICS

Plans to hold a public workshop were published in the Federal Register on June 25, 1987, while persons who had expressed an interest in the meeting were contacted directly. The one-day meeting, held on October 14, 1987, consisted of consecutive sessions as follows:

MORNING SESSIONS

TOPICS and PRESENTERS

Welcome

Michael M. Finkelstein
Associate Administrator for Research & Development
NHTSA

Moderator: Workshop Purpose and Organization

Dr. Monroe B. Snyder, Chief
Problem-Behavior Research Division
Office of Driver & Pedestrian Research
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SESSION I: LEGISLATION AND ON-GOING PROGRAMS

Legislative issues and information needs: What is the relationship between the use of in-vehicle devices and other sanctions and treatment

Rep. Richard Springer
Oregon House of Representatives

Judge Lynn Tepper
Pasco Co., Florida

* Judge Larry Lamson,
Calvert Co., Maryland

Judge Deidra Hair
Hamilton Co. (Cincinnati), Ohio

Rep. Francis Woodward
Massachusetts House of Representatives

FLOOR Q & A AND DISCUSSION

* Copies of presentation available.

TOPIC and PRESENTER

SESSION II: IN-VEHICLE BREATH TEST DEVICES

Recent Federal government research on devices

Dr. James F. Frank
Problem-Behavior Research Division
Office of Driver & Pedestrian Research, NHTSA

Recent and new developments

- * Dr. Ronald Garren, Safety Interlock, Inc.
- * Ms. Patricia Zajac, Autosense Corp.
- * Dr. Donald Collier, Guardian Interlock Systems, Inc.

FLOOR D & A AND DISCUSSION

LUNCH BREAK

AFTERNOON SESSION

CERTIFICATION TESTING

The States' Perspective

- * Greg Manual, California Office of Traffic Safety
- * William Brey, Division of Implied Consent;
Illinois Department of Public Health

The Manufacturers' Perspective

- * Mr. Gary Schlatter, Guardian Interlock Systems, Inc.
- * Dr. Donald Garren, Safety Interlock, Inc.
- * Dr. Mary Jane Wegener, Autosense Corp.

PANEL DISCUSSION

- * Mr. Al Lauersdorf, National Safety Council
Rep. Richard Springer, Oregon House of Representatives

* Copies of presentation available.

TOPICS and PRESENTERS

SESSION III: FIELD EVALUATION RESEARCH - ONGOING AND PLANNED

Introduction: Why is evaluation research needed and how should it be done?

Dr. Richard P. Compton
Problem-Behavior Research Division
Office of Driver & Pedestrian Research, NHTSA

SPECIFIC EXPERIENCES & PLANS FOR EVALUATION RESEARCH

The Calvert County (Maryland) experience

- * Ms. Beth Baker
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University of Maryland
College Park, MD.

The Hamilton County (Ohio) experience

- * Dr. Delbert Elliott
University of Colorado
Boulder, Colorado

The California evaluation plan

- * Dr. Fred Springer
University of Missouri, St. Louis
St. Louis, MO

BREAK

SESSION IV: INFORMATION NEEDS AND METHODS FOR EXCHANGE

Panel Discussion: What information is most needed about devices, and how can it be best obtained?

Rep. Ann Rest (MN House of Representatives)
Rep. Francis Woodward (MA House of Representatives)
Dr. Ronald Garren (Safety Interlock)
Judge Lynn Tepper (New Port Richey, FL)
Dr. Del Elliott (Univ. of Colorado)

Floor discussion and final comments

* Copies of presentation available.

DISCUSSION AND OVERVIEW

In contrast to last year's workshop, the discussion focused on breath test devices this year, with little consideration being given to performance devices. As these breath test devices are currently being strongly marketed, this shift in emphasis was not a surprise.

Most speakers appeared to be proponents of this technology, whether manufacturers' representatives, judges, legislators, researchers, or other interested parties. At the first workshop (held in 1986), the discussion focused more on questions about the feasibility and practicality of applying this technology; at this workshop, the interest had shifted to implementation and evaluation issues.

As indicated by the agenda, the presentations covered a wide range of topics. The major issues raised and the viewpoints presented are briefly summarized below.

LEGISLATIVE ISSUES

- o At this time five states have passed legislation authorizing use of ignition interlock devices (some on a test basis) and more than a dozen other states have bills in various stages of development.
- o A topic of major concern was the issue of certification standards and test procedures. Laws being passed assign the task of certifying devices to State agencies, without providing any additional guidance in this area. Most State agencies and state labs apparently do not have the expertise to easily undertake developing standards and test procedures. Several manufacturers were very clear in stating that they could not undertake the effort and expense of meeting 50 different states' standards. There seemed to be a general consensus that a set of guidelines and test procedures were needed, analogous to the work NHTSA has conducted for evidential breath test devices.
- o Concern was expressed regarding the cost of these devices and who would pay for them, especially in the case of indigent offenders. It was suggested that judges are reluctant to adopt use of a sanction that is not available to everyone, regardless of the defendant's ability to pay. Oregon's new legislation authorizes use of DWI funds to pay for indigent offenders. Other states currently considering legislation are confronting this issue.

- o the relationship between use of these devices and other sanctions was also discussed. Strong sentiment was expressed by some that these devices should be used in addition to other sanctions or treatment, rather than in lieu of them. Others (the manufacturers and some judges) felt that convicted offenders were already being fined, evaluated, treated, and sanctioned enough. Their reasoning was that if these devices worked, they should be used in lieu of some of these other less effective measures.

EVALUATION

- o Many workshop participants wanted hard data showing whether these devices work. Some stressed that the devices had to be accurate and reliable; others stressed that they had to reduce the rate of recidivism and impact deaths and injuries. Several persons doubted that there would be widespread adoption of this technology until evidence was available showing that the ignition interlock devices were more effective than the alternatives.
- o A number of evaluation studies are now planned or underway in California, Oregon, Ohio, and Maryland. Results should be available in two years. These studies are not using methods designed to provide unambiguous evidence about the effectiveness of ignition interlock devices in reducing recidivism. Some participants expressed concern that a number of research efforts were being funded by manufacturers, rather than by an independent source who does not have a vested interest in the outcome.
- o Research questions of interest included: the extent to which recidivism is reduced when these devices are used, what criteria should be used to select offenders for use of the devices (e.g., first offenders, multiple offenders, or offenders with high arrest BACs), under what conditions would ignition interlock devices work most effectively.
- o Data recently collected at TSC showing how these devices can be circumvented was discussed. The problem of cheating and circumvention remains unresolved. Sentiment appeared to lean toward proceeding with implementation with the belief that excessive tampering and cheating would be revealed by failure of the devices to reduce recidivism rates.

IMPLEMENTATION

- o Differing opinions were offered regarding questions about who should be responsible for installing, maintaining and calibrating the devices in persons' cars. Options ranged from having a state agency responsible for this activity with state licensed and certified installers, to having manufacturers' agents or dealers do the work and be accountable to the courts, but be otherwise unregulated.
- o Product liability insurance was again raised as a serious problem due to the cost. Also, California had a great deal of difficulty finding a laboratory that would conduct their certification tests without indemnification from the state for any liability that might result.
- o Several manufacturers are now equipping their devices with recorders that log every attempt to start the vehicle (date and time test is taken and test results), as well as recording tampering attempts or incidents when the battery is disconnected. How this information could be used by the courts to revoke probation or a restricted license was discussed.

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