

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DEPARTMENT OF TRANSPORTATION

RULES AND REGULATIONS GOVERNING

THE CERTIFICATION OF IGNITION INTERLOCK SYSTEMS

DANTE E. BOFFI, JR., DIRECTOR

RI DEPARTMENT OF TRANSPORTATION

TWO CAPITOL HILL – ROOM 210

PROVIDENCE, RHODE ISLAND 02903

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OF IGNITION INTERLOCK SYSTEMS

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RULES AND REGULATIONS GOVERNING THE CERTIFICATION
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1.0 AUTHORITY

These rules and regulations are adopted pursuant to the provisions of Section 31-49-2 of the general Laws of Rhode Island, 1956 (as amended).

2.0 SCOPE

These rules and regulations govern the implementation of the provisions of Chapter 49, Title 31 of the general laws of Rhode Island, 1956 (as amended).

3.0 DEFINITIONS

“Department” shall be construed to mean the Rhode Island Department of Transportation.

“Provider” shall be construed to mean any business entity capable of manufacturing, installing, replacing, maintaining and monitoring an ignition interlock system certified by the division of motor vehicles in accordance with these rules and regulations.

4.0 CERTIFICATION STANDARDS

The assistant director for motor vehicles may certify any ignition interlock system which meets or exceeds the Model Specifications for Breath Alcohol Ignition Interlock Devices, as published and as amended by the National Highway Traffic Safety Administration, (NHTSA), United States Department of Transportation, (USDOT) Docket No. 91-07, Notice 2, 57 Federal Register 11772, (April 7, 1992), provided that the provider also complies with the following requirements:

(1) The provider shall submit a completed application for certification.

The application shall be in a form provided by the Department.

(2) The provider shall submit, together with the application, a sworn certificate from a professional scientific testing laboratory independent of the provider's business, attesting that the provider's ignition interlock system meets or exceeds the correct certification standards set forth by NHTSA, USDOT.

(3) The provider shall submit a statement, in writing, of the procedures it will undertake to monitor any system installed by the provider.

(4) The provider shall submit a "warning label" as required by the provisions of Section 31-49-4; R.I.G.L. 1956, as amended in a form designed and adopted by the Department. The provider shall install said warning label on the Ignition Lock System in a position visible to the driver.

(5) The provider shall submit a written statement certifying that its business and the ignition interlock system will comply with each of the requirements set forth within Section 31-49-3, R.I.G.L., 1956, (as amended). The statement shall be given by, and signed by, the provider's chief executive officer under oath. Together with the statement, the provider shall submit documentary evidence demonstrating the substantive veracity of each of the requirements set forth within Section 31-49-3, (a) through (1) inclusive, in a form acceptable to the assistant director for motor vehicles.

5.0 CERTIFICATION

Whenever any provider shall have met all of the requirements of the foregoing rules and regulations, the assistant director for motor vehicles shall issue, upon stationary bearing his letterhead, a letter certifying the provider and its ignition interlock system. The certification shall remain valid for the period of one (1) year subsequent to its stated date of issue. A copy of the certification letter shall be kept and maintained by the registry of motor vehicles and a copy shall be forwarded to the chief court administrator of Rhode Island. The assistant director for motor vehicles shall make and publish annually a list of certified providers and certified ignition interlock systems. Publication shall consist of the transmission of the list to the state court administrator of Rhode Island and by posting a copy of the list in a prominent public place within the headquarters of the registry of motor vehicles.

6.0 AMENDMENT OF MODEL SPECIFICATIONS

Whenever NHTSA, USDOT shall cause the model specifications, as aforesaid, to be amended the requirements of Section 4.0 of these rules and regulations shall be deemed to have been likewise amended.

7.0 SEVERABILITY

If any provision of these Rules and Regulations or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of the rules and regulations which can be given effect, and to this end the provisions of these rules and regulations are declared to be severable.

8.0 EFFECTIVE DATE

These Rules and Regulations shall become effective twenty (20) days after filing with the Office of Secretary of State.

I hereby certify the above is a true copy.

Dante E. Boffi, Jr., Director
Rhode Island Department of Transportation

Filed with the Office of the Secretary of State: June 9, 1993

