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Penalties for Tampering with or Circumventing Ignition Interlock Devices January 2023

State/Jurisdiction	Statutory Citation	Penalties
Alabama	Ala. Code § 32-5A-191.4.	Punishable by imprisonment for not more than six months and a fine of not more than \$500, or both.
Alaska	Alaska Stat. § 11.76.140.	<p>Class A misdemeanor; Punishable by imprisonment for not more than 1 year or \$10,000 or both.</p> <p>(a) A person commits the crime of avoidance of ignition interlock device if the person knowingly</p> <p>(1) circumvents or tampers with an ignition interlock device in a manner intended to allow a person on probation under AS 12.55.102, with a condition of sentence under AS 12.55.102 or another section, or who has an ignition interlock limited license to avoid using the device;</p> <p>(2) rents a motor vehicle to a person and with criminal negligence disregards the fact that the person is on probation under AS 12.55.102, has a condition of sentence under AS 12.55.102 or another section, or has an ignition interlock limited license, unless the vehicle is equipped with an ignition interlock device described in AS 12.55.102; or</p> <p>(3) loans a motor vehicle to a person and knowingly disregards the fact that the person is on probation under AS 12.55.102, has a condition of sentence under AS 12.55.102 or another section, or has an ignition interlock limited license, unless the vehicle is equipped with an ignition interlock device described in AS 12.55.102.</p> <p>(b) Avoidance of ignition interlock device</p> <p>(1) under (a)(1) of this section is a class A misdemeanor;</p> <p>(2) under (a)(2) or (3) of this section is a class B misdemeanor and is punishable by a term of imprisonment of not more than 30 days and a fine of not more than \$500.</p>
Arizona	Ariz. Rev. Stat. Ann. § 28-1464.	<p>Class 1 misdemeanor: No more than 6 months in jail and a fine of no more than \$2,500.</p> <p>Additionally, the department shall extend the duration of the certified ignition interlock device requirement for not</p>

		more than one year under certain circumstances of the violation.
Arkansas	Ark. Stat. Ann. §§ 5-65-118 and 5-65-123.	Class A misdemeanor: No more than 1 year in jail and a fine of no more than \$2500. Additionally, the office shall revoke the ignition interlock restricted license and reinstate a license suspension for the term of the original license suspension.
California	Cal. Vehicle Code § 23247.	Imprisonment in the county jail for not more than six months or by a fine of not more than \$5,000, or by both that fine and imprisonment.
Colorado	Colo Rev. Stat. § 42-2-132.5.	Class 1 misdemeanor: six to 18 months imprisonment or a \$500 - \$5,000 fine, or both. The department shall revoke any interlock-restricted license issued to the convicted person and the department shall not reinstate the interlock-restricted license for a period of one year or the remaining period of license restraint imposed prior to the issuance of an interlock-restricted license pursuant to this section, whichever is longer.
Connecticut	Conn. Gen. Stat. § 14-227k.	Requesting or soliciting another person to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing such person with an operable motor vehicle - Class C misdemeanor: No more than 3 months in jail and a fine of no more than \$500. Operating any motor vehicle not equipped with a functioning ignition interlock device or any motor vehicle that a court has ordered such person not to operate – First time - shall be fined not less than \$500 or more than \$1,000 dollars and imprisoned not more than one year, and, in the absence of any mitigating circumstances as determined by the court, 30 consecutive days of the sentence imposed may not be suspended or reduced in any manner.
Delaware	Del. Code Ann. Title 11 §1249.	Class A misdemeanor: No more than 1 year in jail and a fine of no more than \$2,300.
Florida	Fla. Stat. § 316.1937. Fla. Stat. Ann. § 316.1937 (West)	Revoke offender's driving privilege for 1 year from the date of conviction. Noncriminal traffic infraction - \$30 fine. (b) Any person convicted of tampering with or circumventing the operation of a court-ordered ignition interlock device who does not have a driver license shall, in addition to any other penalty provided by law, pay a fine of not less than \$250 or more than \$500 per each such violation. In the event that the person is unable to pay any such fine, the fine shall become a lien against the motor

		vehicle used in violation of tampering with the ignition interlock device.
Georgia	Ga. Code 42-8-118 Ga. Code Ann. § 17-10-3 (West)	Misdemeanor: No more than 1 year in county jail, county correctional institution, or such other places as counties may provide for maintenance of county inmates or a fine of no more than \$1,000 or both.
Hawaii	Hawaii Rev. Stat. § 291E-66.	(b) Any person required under subsection (a) to drive using an ignition interlock device, who violates subsection (a) shall be sentenced without possibility of probation or suspension of sentence as follows: (1) For a first offense, or any offense not preceded within a five-year period by conviction under this section or section 291E-62(a)(3): (A) A term of imprisonment of not less than three consecutive days but not more than 30 days; (B) A fine of not less than \$250 but not more than \$1,000; and (C) Loss of the privilege to operate a vehicle equipped with an ignition interlock device; (2) For an offense that occurs within five years of a prior conviction for an offense under this section or section 291E-62(a)(3): (A) Thirty days imprisonment; (B) A \$1,000 fine; and (C) Loss of the privilege to operate a vehicle equipped with an ignition interlock device; and (3) For an offense that occurs within five years of two or more prior convictions for offenses under this section or section 291E-62(a)(3), or any combination thereof: (A) One year imprisonment; (B) A \$2,000 fine; and (C) Loss of the privilege to operate a vehicle equipped with an ignition interlock device.
Idaho	Idaho Code Ann. §§ 18-8009; 18-113 (West)	Imprisonment in a county jail not exceeding six (6) months, or by a fine not exceeding \$1,000, or by both. In addition, the court may impose a fine of up to \$1,000.
Illinois	625 Ill. Comp. Stat. Ann. 5/6-206.2 730 Ill. Comp. Stat. Ann. 5/5-4.5-55	Class A misdemeanor: Jail term of no longer than one year and a fine of no more than \$2,500.
Indiana	Ind. Code Ann. §§ 9-30-5-8 & 35-50-3-3 (West)	Class B misdemeanor: No more than 180 days in jail and a fine of no more than \$1,000.
Iowa	Iowa Code 321J.4.	Serious misdemeanor: No more than 1 year in jail and a fine ranging from \$315 to no more than \$1,000.

	Iowa Code Ann. §§ 321J.4 & 903.1 (West)	
Kansas	Kan. Stat. Ann. §§ 8-1017; 21-6602 & 21-6611	Class A, nonperson misdemeanor: Imprisonment shall not exceed one year or a fine not exceeding \$2,500, or both. Upon first conviction, the division shall extend the ignition interlock restriction period on the person's driving privileges for an additional 90 days. Upon second subsequent conviction, the division shall restart the original ignition interlock restriction period on the person's driving privileges.
Kentucky	Ky. Rev. Stat. Ann. §§ 189A.345; 532.090 & 534.040 (West)	<p>(1) No person shall operate a motor vehicle or motorcycle without a functioning ignition interlock device when prohibited to do so under KRS 189A.420.</p> <p>(2) (a) No person shall start a motor vehicle or motorcycle equipped with an ignition interlock device for the purpose of providing an operable motor vehicle or motorcycle to a person subject to the prohibition established in KRS 189A.420.</p> <p>(b) Any person who violates paragraph (a) of this subsection shall:</p> <ol style="list-style-type: none"> 1. For a first offense, be guilty of a Class B misdemeanor; and 2. For a second or subsequent offense, be guilty of a Class A misdemeanor. <p>(3) (a) No person shall:</p> <ol style="list-style-type: none"> 1. Knowingly install a defective ignition interlock device on a motor vehicle or motorcycle; or 2. Tamper with an installed ignition interlock device with the intent of rendering it defective. 3. Alter, conceal, hide, or attempt to alter, conceal, or hide, the person's identity from the ignition interlock device's camera while providing a breath sample <p>(b) Any person who violates paragraph (a) of this subsection shall:</p> <ol style="list-style-type: none"> 1. For a first offense, be guilty of a Class B misdemeanor; and 2. For a second or subsequent offense, be guilty of a Class A misdemeanor and be prohibited from installing ignition interlock devices or directing others in the installation of ignition interlock devices. <p>(4) (a) No person shall direct another person to install a defective ignition interlock device on a motor vehicle or motorcycle when the person giving the direction knows that the ignition interlock device is defective.</p> <p>(b) Any person who violates paragraph (a) of this subsection shall:</p>

		<p>1. For a first offense, be guilty of a Class B misdemeanor; and</p> <p>2. For a second or subsequent offense, be guilty of a Class A misdemeanor and be prohibited from directing others in the installation of ignition interlock devices or installing ignition interlock devices.</p> <p>(1) For a Class A misdemeanor, the term shall not exceed twelve (12) months or a fine not to exceed \$500, or both; and</p> <p>(2) For a Class B misdemeanor, the term shall not exceed 90 days or fine not to exceed \$250, or both.</p>
Louisiana	La. Criminal Law Ann. § 334.	Any person convicted of a violation may be punished by imprisonment for not more than six months or a fine of not more than \$500, or both.
Maine	Me. Rev. Stat. tit. 29-A, § 2508	Tampering or circumventing the ignition interlock device is a traffic infraction and can result in a license suspended for one year if the person has one OUI offense, 2 years if the person has 2 OUI offenses, 4 years if the person has 3 OUI offenses or is reinstated pursuant to subsection 1, paragraph D and 6 years if the person has 4 or more OUI offenses.
Maryland	Md. Code Ann., Transp. § 21-902.2 (West)	(h) A person convicted of tampering or circumventing their ignition interlock is subject to imprisonment not exceeding 2 months or a fine not exceeding \$500 or both.
Massachusetts	Mass. Gen. Laws Ann. ch. 90, § 24T (West)	(a) Whoever interferes with or tampers with a certified ignition interlock device, with the intent to disable such device, shall be punished by imprisonment in the house of correction for not less than 6 months nor more than 2 ½ years or by imprisonment in the state prison for not less than 3 years nor more than 5 years.
Michigan	Mich. Comp. Laws 257.625I	A misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$5,000, or both.
Minnesota	Minn. Stat. Ann. § 171.306 (West)	<p>If a program participant tampers with, circumvents, or bypasses a device; drives, operates, or exercises physical control over a motor vehicle not equipped with a device certified by the commissioner; violates a condition of a limited license issued under subdivision 4 and section 171.30; or violates the program guidelines of subdivision 3, the commissioner shall extend the person's revocation period under section 169A.52, 169A.54, or 171.177 by:</p> <p>(1) 180 days for a first violation;</p> <p>(2) one year for a second violation; or</p> <p>(3) 545 days for a third and each subsequent violation.</p> <p>(b) Notwithstanding paragraph (a), the commissioner may terminate participation in the program by any person when, in the commissioner's judgment, termination is necessary to the interests of public safety and welfare.</p>

Mississippi	Miss. Code Ann. § 63-11-31	Misdemeanor: Punishable by a fine not less than \$250.00 nor more than \$1,000 or imprisoned for not more than 6 months, or both.
Missouri	Mo. Ann. Stat. §§ 558.011 & 577.612 (West)	Class A misdemeanor: No more than 1 year in jail and a fine of no more than \$1,000.
Montana	MT ST 61-8-440	A person convicted of a violation of this section shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months or both.
Nebraska	Neb. Rev. St. §§ 60-6,211.11 & 28-106 (West)	Class I misdemeanor: not more than one year imprisonment, or \$1,000 fine, or both.
Nevada	Nev. Rev. Stat. Ann. § 484C.470 (West)	A person who tampers or circumvents their ignition interlock device: (a) Must have his or her driving privilege revoked in the manner set forth in subsection 4 of NRS 483.460; and (b) Shall be: (1) Punished by imprisonment in jail for not less than 30 days nor more than 6 months; or (2) Sentenced to a term of not less than 60 days in residential confinement nor more than 6 months, and by a fine of not less than \$500 nor more than \$1,000.
New Hampshire	N.H. Rev. Stat. Ann. § 265-A:37	Alcohol ignition interlock circumvention is punishable by a class A misdemeanor, carrying a fine of not less than \$500, the person in violation will be ordered to install an enhanced technology interlock device, and the period of required ignition interlock device installation is extended by two years.
New Jersey	N.J.S.A. 39:4-50.19	License suspension for one year. If any requirements are violated, the court can extend the IID period for up to 90 days.
New Mexico	N.M. Stat. Ann. § 66-5-504 (West)	A. A person who is issued an ignition interlock license and operates a vehicle that is not equipped with an ignition interlock device is driving with a license that was revoked for driving under the influence of intoxicating liquor or drugs or a violation of the Implied Consent Act and may be subject to the penalties provided in Section 66-5-39 NMSA 1978. B. A person who is issued an ignition interlock license and who knowingly and deliberately tampers or interferes or causes another to tamper or interfere with the proper and intended operation of an ignition interlock device may be subject to the penalties for driving with a license that was revoked for driving under the influence of intoxicating liquor or drugs or a violation of the Implied Consent Act as provided in Section 66-5-39 NMSA 1978.

	N.M. Stat. Ann. § 66-5-39 (West)	<p>A. Any person who drives a motor vehicle on any public highway of this state at a time when the person's privilege to do so is suspended and who knows or should have known that the person's license was suspended is guilty of a misdemeanor and shall be charged with a violation of this section. Upon conviction, the person shall be punished, notwithstanding the provisions of Section 31-18-13 NMSA 1978, by imprisonment for not less than four days or more than 364 days or participation for an equivalent period of time in a certified alternative sentencing program, and there may be imposed in addition a fine of not more than \$1,000. When a person pays any or all of the cost of participating in a certified alternative sentencing program, the court may apply that payment as a deduction to any fine imposed by the court. Any municipal ordinance prohibiting driving with a suspended license shall provide penalties no less stringent than provided in this section.</p> <p>B. In addition to any other penalties imposed pursuant to the provisions of this section, when a person is convicted pursuant to the provisions of this section or a municipal ordinance that prohibits driving on a suspended license, the motor vehicle the person was driving may be immobilized by an immobilization device for 30 days, unless immobilization of the motor vehicle poses an imminent danger to the health, safety or employment of the convicted person's immediate family or the family of the owner of the motor vehicle. The convicted person shall bear the cost of immobilizing the motor vehicle.</p> <p>C. The division, upon receiving a record of the conviction of any person under this section, shall extend the period of suspension for an additional like period.</p>
New York	<p>N.Y. Vehicle and Traffic Law § 1198 (Deemed repealed Sept. 1, 2019)</p> <p>N.Y. Penal Law § 70.15 & 80.05 (McKinney)</p>	Class A misdemeanor: No more than 1 year imprisonment or a fine not to exceed \$1,000, or both.
North Carolina	N.C.G.S.A. § 20-17.8A	<p>Class 1 misdemeanor: No more than 45 days imprisonment.</p> <p>Each act of tampering, circumvention, or attempted circumvention under this statute shall constitute a separate violation.</p> <p>*See North Carolina structured sentencing.</p>

North Dakota	N.D. Cent. Code Ann. § 39-06-42 (West) N.D. Cent. Code Ann. § 39-06-17 (West)	The sentence must be at least four consecutive days' imprisonment and a fine as the court deems proper. Additionally, upon receiving notice of the conviction the director shall revoke, without opportunity for hearing, the licensee's temporary restricted license and shall extend the underlying suspension for a like period of not more than one year.
Ohio	Ohio Rev. Code Ann. §§ 4510.13 & 4510.46 (West)	One who is found to commit an ignition interlock violation is required to wear a monitor that provides continuous alcohol monitoring. Additionally, the court may increase the period of suspension of the offender's driver's or commercial driver's license, permit, or nonresident operating privilege from that originally imposed by the court by a factor of two and may increase the period of time during which the offender will be prohibited from exercising any limited driving privileges granted to the offender unless the vehicles the offender operates are equipped with a certified ignition interlock device by a factor of two.
Oklahoma	Oklahoma Administrative Code 40:50-1-3.2.	Reportable violation. Reportable violations shall be reported to the Installation Authority and/or Monitor, in the form and/or format designated by the Board, within five business days, banking holidays excepted, after the violation reset service or removal of the device.
Oregon	O.R.S. § 813.614	Class A traffic violation: pay a fine of not less than \$220 nor more than \$2,000.
Pennsylvania	75 Pa.C.S.A. § 3808	Misdemeanor: pay a fine of not less than \$300 nor more than \$1,000 and to undergo imprisonment for not more than 90 days.
Rhode Island	RI ST § 31-49-4	Misdemeanor: subject to no more than 1 year in jail or a fine of no more than \$1,000 or both.
South Carolina	SC ST § 56-5-2941	Driving unequipped vehicle - for a first offense, a misdemeanor: fined not less than \$1,000 or imprisoned not more than one year. The person must have the length of time that the ignition interlock device is required extended by six months; Tampering or disabling interlock - a misdemeanor and, upon conviction, must be fined not more than \$500 or imprisoned not more than 30 days, or both.
South Dakota	S.D. Codified Laws § 32-23-4.9	Upon a 6 th or subsequent conviction of driving under the influence, an offender may have an ignition interlock device as a part of his supervision. If, during the period of supervision imposed under, the person being supervised violates conditions, the offender shall be penalized according to the graduated sanctions policy to be established by the Supreme Court or the Department of Corrections, respectively.

Tennessee	Tenn. Code Ann. § 55-10-417 (West)	<p>If the violation is the person's first violation, such person shall be sentenced to a minimum of 48 hours of incarceration.</p> <p>(2) If the violation is the person's second violation, such person shall be sentenced to a minimum of 72 hours of incarceration;</p> <p>(3) If the violation is the person's third or subsequent violation, such person shall be sentenced to a minimum of seven consecutive days of incarceration.</p>
Texas	V.T.C.A., Transportation Code § 521.246	No penalties found in statute.
Utah	U.C.A. 1953 § 41-6a-518.1	Class B misdemeanor: No more than six months in jail and a fine of no more than \$1,000.
Vermont	VT ST T. 23 § 1213	<p>Criminal offense</p> <p>In addition to any other penalties a \$500 civil fee will be assessed.</p> <p>License suspension shall be extended by six months.</p>
Virginia	VA Code Ann. § 18.2-270.1	Class 1 misdemeanor: No more than 1 year in jail and a fine of no more than \$2,500.
Washington	West's RCWA 46.20.750	Gross misdemeanor: No more than 364 days in jail and a fine of no more than \$5,000, or both.
West Virginia	W. Va. Code, § 17C-5A-3a	<p>Operating a motor vehicle not equipped with interlock: misdemeanor and, upon conviction thereof, shall be confined in jail for a period not less than one month nor more than six months and fined not less than \$100 nor more than \$500.</p> <p>Attempting to bypass interlock: misdemeanor and, upon conviction thereof, shall be confined in jail not more than six months and fined not less than \$100 nor more than \$1,000.</p>
Wisconsin	Wis. Stat. Ann. § 347.50 (West)	A fine of not less than \$150 but not more than \$600, or imprisonment for up to six months, or both. For a 2nd or subsequent conviction within 5 years, the person may be fined not less than \$300 nor more than \$1,000, or imprisoned for not more than 6 months, or both.
Wyoming	Wyo. Stat. Ann. § 31-7-404 (West)	<p>(a) No person licensed under this article shall drive any motor vehicle, without a functioning and certified ignition interlock device.</p> <p>(b) No person shall remove or otherwise circumvent an installed ignition interlock device nor blow or solicit another to blow into an ignition interlock device for the purpose of rendering an operable vehicle to a person whose driving privileges have been restricted under this article.</p> <p>(c) A person holding a restricted license under this article who violates subsection (a) or (b) of this section is guilty of a misdemeanor and shall:</p> <p>(i) For a first offense, be imprisoned for not less than seven (7) days nor more than 6 months, and shall not be eligible</p>

for probation or suspension of sentence or release on any other basis until serving at least seven days in jail. In addition, the person shall be fined not less than \$200.00) nor more than \$750.00;

(ii) For a second or subsequent violation of subsection (a) or (b) of this section during the same license period is guilty of a misdemeanor and shall be imprisoned for not less than 30 days nor more than 66 months and shall not be eligible for probation, suspension of sentence or release on any other basis until serving at least 30 days in jail. In addition, the person shall be fined not less than \$200 nor more than \$750.00;

(iii) Be considered to have been convicted under W.S. 31-5-233 for the purposes of the ignition interlock device requirements of W.S. 31-5-233(f)(ii) through (v).

(d) A person violating subsection (b) of this section who is not the restricted licensee is guilty of a misdemeanor and shall be punished by a fine of not more than \$750.00, or by imprisonment for not more than 6 months, or both. Upon a subsequent violation of subsection (b) of this section, the violator shall no longer be eligible for an ignition interlock restricted license should that person ever apply and otherwise be eligible.