

JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS
455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Traffic Advisory Committee
Hon. John H. Tiernan, Chair
Mr. Courtney Tucker, Attorney, 415-865-7611
courtney.tucker@jud.ca.gov

DATE: March 22, 2005

SUBJECT: Traffic: Ignition Interlock Device Forms (revise forms ID-100, ID-110, ID-120, ID-140, and ID-150)

Issue Statement

Vehicle Code section 23575 authorizes courts to order installation of ignition interlock devices (IIDs) in vehicles to prevent a person convicted of certain crimes from operating a vehicle while under the influence of alcohol. The Judicial Council's forms regarding IID's need to be revised to correct outdated references to statutory authority and correct the instructions on the forms. The current instructions in form ID-100, *Order to Install Ignition Interlock Device*, require courts to provide to defendants ordered to install an IID a court-generated list of IID installers, which is not mandated by law.

Recommendation

The Traffic Advisory Committee recommends that the Judicial Council, effective July 1, 2005, adopt the proposed revised forms: ID-100, *Order to Install Ignition Interlock Device*; ID-110, *Ignition Interlock Installation Verification*; ID-120, *Ignition Interlock Calibration Verification/Tamper Report*; ID-140, *Ignition Interlock Removal and Modification to Probation Order*; and ID-150, *Notice to Employers of Ignition Interlock Restriction* (Forms).

The current and proposed revised Forms are set forth at pages 4 to 15.

Rationale for Recommendation

Under Vehicle Code section 23575, a court may order installation of an IID in certain circumstances to prevent a person convicted of certain crimes from driving vehicles they own or operate while intoxicated. Due to changes in statutory provisions regarding IIDs, the Judicial Council forms relating to IIDs need to be updated to reference current statutory authorities and follow current law.

The Traffic Advisory Committee recommends that the council adopt the following revisions to conform the Forms to current legal requirements:

1. Revision of forms ID-100 and ID-140 to remove an outdated reference to Municipal Court;
2. Revision of forms ID-100 and ID-150 to include with the date and defendant's signature the statement: "I acknowledge receipt of this order.";
3. Revision of form ID-100 to specify "JUDICIAL OFFICER" instead of "JUDGE" so that a subordinate judicial officer may sign the form. Vehicle Code section 23575 authorizes "the court" to order installation and maintenance of an IID without limiting authority for the order to a judge;
4. Revision of forms ID-110 and ID-120 to update statutory authorities; remove requirements for specifying the defendant's date of birth and social security number in order to protect privacy; and change the forms from mandatory to optional use, which is consistent with the other IID forms;
5. Revision of sections 10 and 11 on form ID-120 to add check boxes to specify vehicle a, b, or c as indicated elsewhere on the form;
6. Revision of section 13 on form ID-120 to remove unnecessary personal financial information regarding form of payment;
7. Revision of form ID-140 to replace "Approval" with "Order" in section 1 and "Comments" with "Additional orders" in section 4 to clarify what is being ordered by the court;
8. Revision of form ID-150 to remove outdated statutory references.

The proposal also recommends revision of form ID-100 to eliminate an instruction that the court will provide defendants ordered to install an IID with a list of IID installers. Instead, the revised ID-100 states that the court will provide the defendant with the official list of the Department of Motor Vehicles (DMV) of certified manufacturers. The manufacturers are authorized to give defendants contact information regarding IID installers as provided under Vehicle Code sections 13386(a) and 13386(e)(1).

Alternative Actions Considered

No alternatives were considered. Vehicle Code section 23575 authorizes courts to: (1) order installation of an IID for violations of Vehicle Code section 23152 or 23153, (2) monitor the installation and maintenance of the IID, and (3) report to DMV regarding the installation and terms of the driver's license restriction. The proposed revised Forms will enable courts to effectively process and monitor court orders to install IIDs as required by law.

Comments From Interested Parties

The proposed revised Forms were circulated for statewide comment. Four of the seven responses received agreed with the proposed revisions. One comment stated no

position. Two comments that were received suggested minor changes. Attachment B lists all comments and the committee's responses.

Implementation Requirements and Costs

Courts will need to replace existing Forms with new ones.

Fiscal impact

Little or no fiscal impact is expected. The cost to replace existing Forms will be offset by the elimination of the courts' cost to create and maintain a list of IID installers.

Attachments

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <h1 style="margin: 0;">DRAFT 7</h1> <h1 style="margin: 0;">03-28-05</h1> * not approved by the Judicial Council
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	CASE NUMBER:
ORDER TO INSTALL IGNITION INTERLOCK DEVICE	

Under Vehicle Code section 23575, **the court orders:** a functioning Ignition Interlock Device be installed on the following vehicles owned or operated by defendant:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate No. and/or VIN</u>
a.				
b.				
c.				

1. This order does not reinstate the defendant's driving privilege.
2. Installation must be no later than *(specify a date no later than 30 days from the date of conviction)*:
3. Defendant must present this form to the installer at the time of installation.
4. Defendant must return completed *Ignition Interlock Installation Verification* (form ID-110) to the court probation dept. no later than *(specify a date no later than 30 days from the date of conviction)*:
5. Defendant must take vehicles to the installer for calibration
 60 days other *(specify frequency)*:
 following the date of installation.
6. Defendant must make payments directly to the installer and must adhere to the payment plan for installation of the ignition device.
7. Without a court order, the devices may not be removed prior to *(specify a date no later than three years from the date of conviction)*:
8. Defendant's employer requires defendant to drive a vehicle owned by the employer within the course and scope of defendant's employment. Defendant must provide the employer with the *Notice to Employers of Ignition Interlock Restriction* (form ID-150) no later than *(specify date)*: . Defendant must keep a copy of the *Notice to Employers of Ignition Interlock Restriction* in defendant's possession or keep the original or a copy in the employer's vehicle.
9. Defendant must maintain current insurance and registration on all vehicles owned.
10. Other *(specify)*:

Date: _____ I acknowledge receipt of this order.

(TYPE OR PRINT NAME OF DEFENDANT) (DEFENDANT'S SIGNATURE)

Date: _____

JUDICIAL OFFICER OF THE SUPERIOR COURT Page 1 of 2

SHORT TITLE: _____	CASE NUMBER: _____
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WHAT IS A VIOLATION OF THIS ORDER?

1. Failure to have ignition interlock devices installed within 30 days of the date of this order.
2. Failure to return completed *Ignition Interlock Installation Verification* (form ID-110) to the court or probation department (as indicated on the reverse) within the time limit specified in this order.
3. Failure to comply three or more times with any requirement for the maintenance or calibration of the ignition interlock devices.
4. Failure to comply with any court order.
5. Default on any payment plan arranged with the installer or ordered by the court, resulting in failure to comply herewith, absent a showing in court of good cause.
6. If defendant has a valid driver's license, driving any vehicle without an ignition interlock device except as provided below and except for employer-owned vehicles required to be operated within the course and scope of employment. A motor vehicle owned by a business entity that is wholly or partly owned or controlled by defendant is not a motor vehicle owned by an employer subject to the exemption.
7. Failure to maintain current license and registration on any vehicle owned by defendant.
8. Failure to notify any person who rents, leases, or loans a motor vehicle to defendant of the restriction imposed by this order.
9. Requesting or soliciting any person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing defendant with an operable motor vehicle.
10. Tampering with or circumventing the operation of an ignition interlock device.

Under Vehicle Code section 23575 **only**, it is an affirmative defense to Violation Numbers 7, 8, and 9 if defendant can show that he or she leased, rented, or borrowed a vehicle for emergency use when no other feasible alternative was available, or for a bona fide business purpose when away from defendant's regular place of business.

WHAT WILL HAPPEN IF YOU VIOLATE THIS ORDER?

Under Vehicle Code section 23575, if a defendant fails to provide proof of installation within the ordered time limit, absent a showing of good cause, the court must notify the Department of Motor Vehicles.

YOUR RIGHTS

1. If you are required to install ignition interlock devices pursuant to Vehicle Code section 23575, and you have a medical condition that you believe prevents you from breathing with sufficient strength to activate the devices, you have the right to present a physician's statement to the court documenting the condition and to have the court determine whether the medical condition does make use of the devices medically impossible.
2. If your driving privilege has been revoked or suspended pursuant to Vehicle Code section 23575, and it is restored before the end of the period ordered herein for installation of the ignition interlock devices, you may petition the court to review whether continued restriction is necessary.

Defendant: Call the ignition interlock device installer within 48 hours of this order and arrange for the installation of the device(s). The court will provide you with a list of manufacturers certified by the Department of Motor Vehicles. Contact a certified manufacturer to locate an installer.

NAME AND ADDRESS OF COURT: 	<i>FOR COURT USE ONLY</i>
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	
ORDER TO INSTALL IGNITION INTERLOCK DEVICE	CASE NUMBER:

Under Vehicle Code section 23575, **the court orders:** a functioning Ignition Interlock Device be installed on the following vehicles owned or operated by defendant:

Make Model Year Color License Plate No. and/or V.I.N.

- a.
b.
c.

1. This order does not reinstate your driving privilege.
2. Installation shall be no later than *(specify a date no later than thirty days from the date of conviction)*:
3. Defendant shall present this form to the installer at the time of installation.
4. Defendant shall return completed *Ignition Interlock Installation Verification* (form ID-110) to the court probation dept. no later than *(specify a date no later than thirty days from the date of conviction)*:
5. Defendant shall take vehicles to the installer for calibration every 60 days other *(specify frequency)*:
following the date of installation.
6. Defendant shall make payments directly to the installer and shall adhere to the payment plan for installation of the ignition interlock device.
7. Without a court order, the devices may not be removed prior to *(specify a date no later than three years from the date of conviction)*:
8. Defendant's employer requires defendant to drive a vehicle owned by the employer within the course and scope of defendant's employment. Defendant shall provide the employer with the *Notice to Employers of Ignition Interlock Restriction* (form ID-150) no later than *(specify date)*: . Defendant shall keep a copy of the *Notice to Employers of Ignition Interlock Restriction* in defendant's possession or keep the original or a copy in the employer's vehicle.
9. Defendant shall maintain current insurance and registration on all vehicles owned.
10. Other *(specify)*:

Date:

JUDGE OF THE SUPERIOR/MUNICIPAL COURT

(Continued on reverse)

SHORT TITLE: —	CASE NUMBER:
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WHAT IS A VIOLATION OF THIS ORDER?

1. Failure to have ignition interlock devices installed within 30 days of the date of this order.
2. Failure to return completed *Ignition Interlock Installation Verification* (form ID-110) to the court or probation department (as indicated on the reverse) within the time limit specified in this order.
3. Failure to comply three or more times with any requirement for the maintenance or calibration of the ignition interlock devices.
4. Failure to comply with any court order.
5. Default on any payment plan arranged with the installer or ordered by the court, resulting in failure to comply herewith, absent a showing in court of good cause.
6. If defendant has a valid driver's license, driving any vehicle without an ignition interlock device except as provided below and except for employer-owned vehicles required to be operated within the course and scope of employment. A motor vehicle owned by a business entity that is wholly or partly owned or controlled by defendant is not a motor vehicle owned by an employer subject to the exemption.
7. Failure to maintain current license and registration on any vehicle owned by defendant.
8. Failure to notify any person who rents, leases, or loans a motor vehicle to defendant of the restriction imposed by this order.
9. Requesting or soliciting any person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing defendant with an operable motor vehicle.
10. Tampering with or circumventing the operation of an ignition interlock device.

Under Vehicle Code section 23575 **only**, it is an affirmative defense to Violation Numbers 7, 8, and 9 if defendant can show that he or she leased, rented, or borrowed a vehicle for emergency use when no other feasible alternative was available, or for a bona fide business purpose when away from defendant's regular place of business.

WHAT WILL HAPPEN IF YOU VIOLATE THIS ORDER?

Under Vehicle Code section 23575, if a defendant fails to provide proof of installation within the ordered time limit, absent a showing of good cause, the court shall notify the Department of Motor Vehicles.

YOUR RIGHTS

1. If you are required to install ignition interlock devices pursuant to Vehicle Code section 23575, and you have a medical condition that you believe prevents you from breathing with sufficient strength to activate the devices, you have the right to present a physician's statement to the court documenting the condition and to have the court determine whether the medical condition does make use of the devices medically impossible.
2. If your driving privilege has been revoked or suspended pursuant to Vehicle Code section 23575, and it is restored before the end of the period ordered herein for installation of the ignition interlock devices, you may petition the court to review whether continued restriction is necessary.

Defendant: Call the ignition interlock device installer within 48 hours of this order and arrange for the installation of the device(s). The court will provide you with a list of certified installers.

NAME AND ADDRESS OF COURT: 	<i>FOR COURT USE ONLY</i>
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DATE OF BIRTH: SOCIAL SECURITY NO.: DRIVER'S LICENSE NO.:	
DATE OF COURT ORDER:	CASE NUMBER:
IGNITION INTERLOCK INSTALLATION VERIFICATION	

I certify that ignition interlock devices were installed on vehicles owned or operated by defendant (*name*):
as follows:

1. Manufacturer:
2. Facility location (*address*):
3. Vehicles:

	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate No.</u>	<u>V.I.N.</u>
a.						
b.						
c.						

- | | | | |
|------------------------------------|----|----|----|
| 4. Serial Nos. of units installed: | a. | b. | c. |
| 5. Odometer reading: | a. | b. | c. |
| 6. Date of installation: | a. | b. | c. |
| 7. Date of next monitor check: | | | |

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

..... (TYPE OR PRINT NAME OF INSTALLER)	▶	(SIGNATURE OF INSTALLER)
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Original sent to (*name of court*):

For installer use only:

NAME AND ADDRESS OF COURT: _____	<i>FOR COURT USE ONLY</i>
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DATE OF BIRTH: SOCIAL SECURITY NO.: DRIVER'S LICENSE NO.:	
DATE OF COURT ORDER:	CASE NUMBER:
IGNITION INTERLOCK <input type="checkbox"/> CALIBRATION VERIFICATION <input type="checkbox"/> TAMPER REPORT	

1. Defendant's name:
2. Installer's name:
Address:
City, state, ZIP:
Telephone:
3. Vehicles:

	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate No.</u>	<u>V.I.N.</u>
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- a.
- b.
- c.

4. This is the six-month yearly report (if relevant).

- | | | | |
|-------------------------|----|----|----|
| 5. Installation date: | a. | b. | c. |
| 6. Odometer reading: | a. | b. | c. |
| 7. Calibration setting: | a. | b. | c. |
| 8. Unit serial No.: | a. | b. | c. |

9. Program to end (date):

10. The system is in calibration.
11. The system has been inspected and is functioning properly.
12. The ignition interlock devices installed in vehicles a. b. c. show evidence of tampering.

(Describe/Additional comments):

13. Payment of \$ _____ + sales tax \$ _____ = Total collected \$ _____ paid by
- a. Visa / MasterCard
 - b. Money order/Cashier's check/Certified check No.:
 - c. Cash/check No.:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____ ▶ _____
(SIGNATURE OF INSTALLER)

DEFENDANT: Your next monitoring check is (date): _____ . If you have not had your system serviced within seven days of the due date, the system will shut down and you will be unable to start your car. It will be your responsibility to have your car towed to the calibration location.

Your next payment of \$ _____ is due at the above monitoring check. Payment must be made in full before service is performed. If payment is not made, the system may shut down and you may not be able to start your car. This will result in a service call that will be your responsibility. You may be required to make an additional payment for late payments.

▶ I acknowledge receipt of a copy of this form.
Date: _____ ▶ _____
(SIGNATURE OF DEFENDANT)

Distribution: Court, Manufacturer or Manufacturer's Agent, Defendant, Probation Department

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <h1 style="text-align: center;">DRAFT 7</h1> <h1 style="text-align: center;">03-28-05</h1> <p style="text-align: center;">* not approved by the Judicial Council</p>
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	
IGNITION INTERLOCK REMOVAL AND MODIFICATION TO PROBATION ORDER (Ignition Interlock Device)	CASE NUMBER:

1. **Order to change vehicles.** The above named defendant has approval of the court to change the ignition interlock device (system serial number: _____) to another vehicle.

a. Remove from vehicle:
Make Model Year Color License Plate No. and/or VIN

b. Reinstall in vehicle:
Make Model Year Color License Plate No. and/or VIN

2. **Order for additional installation.** The above named defendant must install an ignition interlock device on the vehicle designated below by (date):
Make Model Year Color License Plate No. and/or VIN

3. **Order to remove device.**

4. Additional orders:

Date: _____

 (TYPE OR PRINT NAME)

I acknowledge receipt of this order.


 (SIGNATURE OF DEFENDANT)

Date: _____

 JUDICIAL OFFICER OF THE SUPERIOR COURT

NAME AND ADDRESS OF COURT: <hr/>	FOR COURT USE ONLY
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	CASE NUMBER:
IGNITION INTERLOCK REMOVAL AND MODIFICATION TO PROBATION ORDER for Court Ordered Ignition Interlock Device	

1. **Approval to change vehicles.** The above-named defendant has approval of the court to change the ignition interlock device (system serial number: _____) to another vehicle.

a. Remove from vehicle:

Make Model Year Color License Plate No. and/or V.I.N.

b. Reinstall in vehicle:

Make Model Year Color License Plate No. and/or V.I.N.

2. **Order for additional installation.** The above-named defendant shall install an ignition interlock device on the vehicle designated below by (date):

Make Model Year Color License Plate No. and/or V.I.N.

3. Order to remove device.

4. Comments:

Date:

.....
 (TYPE OR PRINT NAME)



 (SIGNATURE OF DEFENDANT)

Date:

 JUDGE OF THE SUPERIOR/MUNICIPAL COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY DRAFT 7 03-28-05 * not approved by the Judicial Council
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	
NOTICE TO EMPLOYERS OF IGNITION INTERLOCK RESTRICTION	CASE NUMBER:

INSTRUCTIONS TO DEFENDANT

You are required to provide this notice to any employer who owns a vehicle that you operate in the course and scope of your employment with that employer. You are also required to keep this notice in your possession or with your employer's vehicle.

NOTICE TO EMPLOYER

1. This is to inform the employers of the above named defendant that the defendant is required by court order to have installed, on all vehicles that the defendant owns or operates, an ignition interlock device pursuant to Vehicle Code section 23575 et seq.

2. This court order is effective *(date)*: _____ and will expire *(date)*: _____

3. Note: Vehicle Code section 23576 provides:

"[I]f a person is required to operate a motor vehicle in the course and scope of his or her employment and if the vehicle is owned by the employer, the person may operate that vehicle without installation of an approved ignition interlock device if the employer has been notified by the person that the person's driving privilege has been restricted ... and if the person has proof of that notification in his or her possession, or if the notice, or a facsimile copy thereof, is with the vehicle."

4. This notice satisfies the requirements of Vehicle Code section 23576.

NAME AND ADDRESS OF COURT: 	<i>FOR COURT USE ONLY</i>
NAME OF DEFENDANT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: HOME TELEPHONE NO.: WORK TELEPHONE NO.: DRIVER'S LICENSE NO.:	
NOTICE TO EMPLOYERS OF IGNITION INTERLOCK RESTRICTION	CASE NUMBER:

INSTRUCTIONS TO DEFENDANT

You are required to provide this notice to any employer who owns a vehicle that you operate in the course and scope of your employment with that employer. You are also required to keep this notice in your possession or with your employer's vehicle.

NOTICE TO EMPLOYER

1. This is to inform the employers of the above-named defendant that the defendant is required by court order to have installed, on all vehicles that the defendant owns or operates, an ignition interlock device pursuant to
 Vehicle Code section 13352 et seq. Vehicle Code section 23575 et seq.

2. This court order is effective (*date*): _____ and will expire (*date*): _____

3. Note: Vehicle Code section 23576 provides:

"[I]f a person is required to operate a motor vehicle in the course and scope of his or her employment and if the vehicle is owned by the employer, the person may operate that vehicle without installation of an approved ignition interlock device if the employer has been notified by the person that the person's driving privilege has been restricted . . . and if the person has proof of that notification in his or her possession, or if the notice, or a facsimile copy thereof, is with the vehicle."

4. This notice satisfies the requirements of Vehicle Code sections 23576 and 13352.

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Traffic: Ignition Interlock Device Forms
(revise forms ID-100, ID-110, ID-120, ID-140, and ID-150)

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
1.	Hon. Ronald Lawrence Bauer Orange County Rules and Forms Committee Superior Court of Orange County Santa Ana	AM	N	<p>Comments:</p> <ol style="list-style-type: none"> 1. ID-100: Delete the “your” in line 1 and replace with “the defendant’s”. 2. ID-140: Delete the word “Comments” in Section 4 and replace with “Additional Orders”. 3. ID-140: Add a line above the defendant’s signature line to read “I consent to this order.” 4. ID-140: Add a line above the judge’s signature line to read “It is so ordered.” 5. ID-150: Delete the “s” in the word “sections” in line 4. 6. Asks what is the authority for the 30-day installment period on form ID-100. 	<ol style="list-style-type: none"> 1. Agree. 2. Agree. 3. Agree, in part. By accepting probation, a defendant consents to the terms of the court’s order. Instead, the committee recommends adding above the signature line for the defendant the statement: “I acknowledge receipt of this order.” 4. Agree, in part. If item 1 is changed to specify “Order” instead of “Approval,” it is not necessary to add the suggested text. 5. Agree. 6. There is no express provision in the code stating a time period for completion of the order authorized by Vehicle Code section 23575. Form ID-100 specifies the 30-day time limit pursuant to the Judicial Council’s authority to create forms for court administration and establish court procedures.
2.	Ms. Jill Ramirez Program Manager Superior Court of Solano County Fairfield	A	N	None.	None.

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Traffic: Ignition Interlock Device Forms
 (revise forms ID-100, ID-110, ID-120, ID-140, and ID-150)

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
3.	Ms. Erin Rigby Court Management Services Superior Court of Orange County Santa Ana		N	Asks what is the authority for allowing 30 days for installation of the ignition interlock device and not some other period of time.	See response to comment 1.
4.	Hon. David Sotelo Judge Superior Court of Los Angeles County Los Angeles	A	N	None.	None.
5.	Hon. Rodney J. Stafford Superior Court Judge Superior Court of Santa Clara County San Jose	A	N	The proposed forms make it a lot clearer.	None.

W05-01

Traffic: Ignition Interlock Device Forms
(revise forms ID-100, ID-110, ID-120, ID-140, and ID-150)

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
6.	Mr. Walt Steuben Justice and Government Liaison California Department of Motor Vehicles Sacramento	AM	Y	<p>Suggests that the Judicial Council review form ID-120, <i>Ignition Interlock Calibration Verification and Tamper Report</i>, before adoption of the form. The design of the form raises some questions, which may lead to confusion by the users.</p> <p>The form allows the installer to comment on the calibration of up to three vehicles, designated as “a,” “b” or “c” in Line 5. The installer is able to provide information on each vehicle in Lines 6-9. Line 12 allows the installer to indicate evidence of tampering on individual vehicles, consistent with the a-b-c style of Lines 6-9.</p> <p>But, Lines 10 and 11 provide only a check box to indicate as follows: Line 10 – “The system is in calibration.” Line 11 – “The system has been inspected and is functioning properly.”</p> <p>Lines 10 and 11 are not consistent with the rest of the form in that they do not allow the installer to report on vehicles individually. Since the installer’s response is limited to a report on a single system, it could lead to unnecessary litigation over whether one or more of the vehicles was not in calibration or whether the certification applied to all three vehicles.</p>	Agree. Items 10 and 11 of the proposed form will be revised to include three check boxes similar to those in item 12.
7.	Mr. Dean Zipser President Orange County Bar Association Irvine	A	Y	None.	None.