

# WV ALCOHOL TEST AND LOCK PROGRAM

## REVOCATION INTERLOCK INFORMATION

**West Virginia Law requires that any individuals who commit certain DUI offenses must have their driver's license revoked and must successfully complete the Alcohol Test and Lock Program (Interlock) before having their full driving privileges restored.**

The Alcohol Test and Lock Program requires that an ignition Interlock and camera device be placed in all vehicles owned, or used by, the individual enrolled in the Alcohol Test and Lock Program. This device uses a sample of the individual's breath to determine if they have consumed any alcohol and will prevent them from starting the vehicle if the sample given results in a Blood Alcohol Content (BAC) of .020 or higher. The device also keeps a record of the following events:

- 1.) Total number of attempts made to start the vehicle
- 2.) Alcohol levels of the individual when starting or attempting to start the vehicle
- 3.) Alcohol levels at random intervals while the vehicle is running
- 4.) Any Attempts made to circumvent the device
- 5.) Dates and times in which the vehicle is operated

### A Program Eligibility Requirements for Applicants

**In order to be eligible for the Alcohol Test and Lock Program you must:**

- 1.) Not have any other revocations, suspensions, or other driving privilege withdrawals in West Virginia or any other state or jurisdiction;
- 2.) Have an active, **alcohol-based** DUI revocation on your driving record. Individuals with drug or controlled substance-based DUI revocations are **not** eligible for Interlock;
- 3.) Not be appealing the revocation administratively, in Circuit Court, or in Supreme Court;
- 4.) Have completed or be enrolled in the Safety and Treatment Program within 60 days after beginning the Alcohol Test and Lock Program;
- 5.) Not have been convicted or suspended for driving while revoked or suspended within the last six (6) months;
- 6.) Own the vehicle(s) to be used in the Alcohol Test and Lock Program, or have the owner's written approval, for the installation of the ignition Interlock device; and
- 7.) Be at least 18 years of age.

### B Program Requirements for Approved Participants

**Once you are approved for the Alcohol Test and Lock Program and ignition Interlock device:**

- 1.) You will receive written notification from DMV with an approval number and a list of authorized ignition Interlock device service providers to choose from. You must contact the service provider you choose to schedule an installation appointment. You must have the ignition Interlock device installed within six (6) months of the date of application for the Alcohol Test and Lock Program.
- 2.) You must be driven to the appointment for the ignition Interlock device installation and to the DMV to get an Interlock restricted license by a licensed driver.
- 3.) Vehicles must be manufactured after 1980 and may require an inspection to verify vehicle is equipped with OBD I (On Board Diagnostics Generation 1) in order for the ignition Interlock and camera devices to be installed. Give the ignition Interlock service provider the make/model/year of your vehicle when making the installation appointment.
- 4.) You will be required to return to the installation center **at least** every 30-60 days for vehicle monitoring, so data can be downloaded from the device and reported to DMV.
- 5.) You will be considered in violation of the Interlock Program, and subject to removal from the program, for any program violations which include, but are not limited to:
  - Failure to report for device monitoring every 30 days, or as scheduled;
  - If DMV receives notice from any law enforcement officer, DMV employee, or Interlock service provider that indicates you operated a vehicle not equipped with an ignition Interlock device;
  - Failure to abide by the service agreement with the Interlock service provider;
  - If the participant or anyone else, aside from the Interlock service provider, is found tampering with, bypassing, or removing the Interlock or camera devices
  - Any obscene gestures and/or display by the Interlock participant or anyone inside the vehicle;
  - Attempting to start or operate the vehicle while under the influence of alcohol;
  - Failure to submit to and pass any retests prompted by the ignition Interlock device after the vehicle has been started;
  - Accumulation of Interlock Demerit system points in accordance with DMV policy;
  - If you fail to enroll in, have no progress in, or withdraw yourself from the DUI Safety and Treatment Program, or;
  - if anyone but the driver of the Interlock-equipped vehicle blows into the device.

### C Program Length

#### SITUATION (1):

If you want to **AVOID** your revocation, and your DUI is **alcohol-based**, you **must** apply and be approved for the ignition Interlock Program before your scheduled revocation date and you must waive your right to an administrative hearing.

In this situation, if approved, you will not have to serve the revocation period. Instead, the revocation period (days, months etc.) will be **added** to the ignition Interlock device participation period.

For example, if your minimum revocation period is 15 days and the ignition Interlock installation period is 4 months, the participation period would become 15 days plus 4 months.

#### SITUATION (2):

If you request an administrative hearing or if you **do not** apply for the Alcohol Test and Lock Program **before** your revocation begins, your minimum revocation period and Interlock device installation period are as shown on the chart on the reverse side.

#### APPLICANTS UNDER AGE 21:

If you were under age 21 at the time you were arrested for your DUI offense and had a BAC of **less** than .08 you may be eligible for having your record cleared **after** successfully completing the Alcohol Test and Lock Program (some restrictions apply).

Applications may be obtained by calling  
**1-800-642-9066 or 304-926-2507**  
 or by visiting the DMV website at  
[www.dmv.wv.gov/forms](http://www.dmv.wv.gov/forms).

# REVOCATION AND INSTALLATION PERIODS BASED ON DUI TYPE

DUI TYPE	FIRST OFFENSE		SECOND OFFENSE OR GREATER	
	MINIMUM REVOCATION PERIOD	MINIMUM DEVICE INSTALLATION PERIOD	MINIMUM REVOCATION PERIOD	MINIMUM DEVICE INSTALLATION PERIOD
BAC Less Than .15	15 DAYS	4 MONTHS		
BAC .15 or Greater	45 DAYS	9 MONTHS		
DUI			1 YEAR	1 YEAR for Each Offense Within 10 YEARS
Knowingly Permitting			15 DAYS	4 MONTHS
Implied Consent	45 DAYS	12 MONTHS	1 YEAR	1 YEAR for Each Offense Within 10 YEARS
Under 21 (AMA)	30 DAYS	6 MONTHS	2 MONTHS	1 YEAR
Child Endangerment	60 DAYS	10 MONTHS	1 YEAR	1 YEAR for Each Offense Plus an added 2 MONTHS Per Each Incident With Child Endangerment
Bodily Injury	2 MONTHS	1 YEAR	1 YEAR	1 YEAR for Each Offense Plus an added 6 MONTHS Per Each Incident With Bodily Injury
With Death	1 YEAR	2 YEARS	1 YEAR	1 YEAR for Each Offense Plus an added 2 YEARS Per Each Incident With Death

## B Safety and Treatment Program Provider Information

West Virginia law prohibits the Commissioner of Motor Vehicles from reissuing a driver's license or driving privileges to anyone who is required to participate in the Safety and Treatment Program until after the offender has successfully completed the requirements of the program and has paid all associate fees. The completion of this program is a mandatory requirement for the reinstatement of your driving privileges and it cannot be waived.

The Safety and Treatment Program is only available through approved providers. The attached list contains approved provider locations, telephone numbers, web addresses (if applicable), as well as, the counties that each provider serves. Your program provider will submit all required documents to the DMV on your behalf. Please allow at least 20 business days for the processing of your paperwork.

If you reside outside of West Virginia, you should contact the WV Bureau of Behavioral Health and Health Facilities (BBHFF) for authorization to enroll in an approved out of state Alcohol/Drug Education Program. You may contact the BBHFF by calling 1-877-215-2522, emailing at [wvdui@wv.gov](mailto:wvdui@wv.gov), or visiting their website at [www.dhhr.wv.gov/bhff](http://www.dhhr.wv.gov/bhff).

## ENROLLING IN THE SAFETY AND TREATMENT PROGRAM

**\*\*ALL APPROVED Safety and Treatment Program Providers are listed on 308-SE-2\*\***

- 1.) **DO NOT** go to any program provider location without an appointment. You **must** call the program provider to make an appointment **first**.
- 2.) If it is determined, through your individual assessment and evaluation, that alcohol and/or drugs are, or have, the potential for creating problems for you, additional treatment may be required. The extent of your treatment will be determined upon completion of your assessment by the program provider.
- 3.) You **must** comply with all recommendations made by your program provider in order to be successful in completing the Safety and Treatment Program.

# WV ALCOHOL TEST AND LOCK PROGRAM

## APPROVED SAFETY & TREATMENT PROGRAM PROVIDERS

<b>Provider Name, Location, and Web Address (if applicable)</b>	<b>Counties Served</b>	<b>Phone Number</b>
<b>Appalachian Community Mental Health Center</b> 725 Yokum Street, Elkins, WV 26241	Barbour, Randolph, Tucker, and Upshur	(304) 636-3232
<b>Callahan Counseling Service</b> 1020 Winchester Avenue (PO Box 1074), Martinsburg, WV 25401	Berkeley, Jefferson, and Morgan	(304) 886-4118
<b>Coalfield Family Services, Inc.</b> 20824 Rt. 52, Fort Gay, WV 25514	Wayne, Cabell, and Mingo	(304) 648-7100
<b>Eastridge Health Systems</b> 235 South Water Street, Martinsburg, WV 25401	Berkeley, Jefferson, and Morgan	(304) 263-8954
<b>FMRS Health Systems, Inc.</b> 101 South Eisenhower Drive, Beckley, WV 25801	Fayette, Monroe, Raleigh, and Summers	Fayette (304) 574-2100 Raleigh (304) 256-7100
<b>Harrison County Day Report Center</b> 215 South 3rd Street, Clarksburg, WV 26301	Harrison	(304) 624-8556
<b>Healthways, Inc.</b> 501 Colliers Way, Weirton, WV 26062	Brooke and Hancock	(304) 723-5440
<b>Jefferson County Day Report Center</b> 121 3rd Avenue, Ranson, WV 25438	Jefferson	(304) 728-3527
<b>Logan-Mingo Area Mental Health, Inc.</b> Route 10, 3 Mile Curve (PO Box 176), Logan, WV 25601	Logan and Mingo	(304) 792-7130
<b>Mindfulness, LLC</b> 210 Second Street, St. Marys, WV 26170	Pleasants	(304) 699-1419
<b>Northwood Health Systems</b> 111 Nineteenth Street, Wheeling, WV 26003	Brooke, Hancock, Marshall, Ohio, and Wetzel	(304) 234-3500 Ext. 3275
<b>Potomac Highlands Guild, Inc.</b> 6 Park Street (PO Box 1119), Petersburg, WV 26847	Grant, Hampshire, Hardy, Mineral, and Pendleton	Grant (304) 257-1155 Hampshire (304) 822-3897 Mineral (304) 788-2241
<b>Pretera Center for Mental Health Services, Inc.</b> HUNTINGTON: 3375 US Route 60, Huntington, WV 25705 SOUTH CHARLESTON: 96 MacCorkle Ave, So Charleston, WV 25303	Boone, Cabell, Clay, Lincoln, Kanawha, Mason, Putnam, and Wayne	(304) 525-7851 (Huntington) (304) 414-3075 (So. Chas.)
<b>Pyramid Counseling, LLC</b> 130 George Street #6, Suite E-F, Beckley, WV 25801	Greenbrier, Kanawha, and Raleigh	Greenbrier (304) 645-5558 Kanawha (304) 400-4616 Raleigh (304) 256-0200
<b>Seneca Health Services, Inc.</b> 1305 Webster Road, Summersville, WV 26651	Greenbrier, Nicholas, Pocahontas, and Webster	Greenbrier (304) 497-0500 Nicholas (304) 872-2659 Pocahontas (304) 799-6865
<b>Simms Integrative Health Services</b> 312 West King Street, Martinsburg, WV 25401	Berkeley, Jefferson, and Morgan	(304) 261-8456
<b>Southern Highlands Community Mental Health Center</b> 200 12th Street Extension, Princeton, WV 24740	McDowell, Mercer, and Wyoming	McDowell (304) 436-2106 Mercer (304) 425-9541 Wyoming (304) 294-5353
<b>United Summit Center</b> Number Six Hospital Plaza, Clarksburg, WV 26301	Braxton, Doddridge, Gilmer, Harrison, and Lewis	(304) 623-5661
<b>Valley Healthcare System</b> 301 Scott Avenue, Morgantown, WV 26505	Marion, Monongalia, Preston, and Taylor	Taylor/Marion (304) 366-7174 Monongalia (304) 366-7174 Preston (304) 329-1059
<b>Westbrook Health Services</b> 2121 East 7th Street, Parkersburg, WV 26101	Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt, and Wood	Jackson (304) 372-6833 Pleasants (304) 684-2656 Roane (304) 927-5200 Wood (304) 485-1721

YOU MAY BE ABLE TO

# AVOID Your *Driver's License* REVOCAATION

**E**ffective June 6, 2014, **Senate Bill 434** allows the DMV to offer the Alcohol Test and Lock program in lieu of a driver's license revocation. This law is for DUI with alcohol offenders that accept the immediate installation of the Alcohol Test and Lock device and waive the administrative hearing process. Please contact the DMV's Alcohol Test and Lock unit at 304-926-2507 for additional information.

Please verify the following information before contacting the DMV Alcohol Test and Lock unit:

- *Your driver's license revocation must be for DUI with alcohol or the combined influence of alcohol and controlled substances or drugs. Drivers with an offense involving only controlled substances or drugs are not eligible to participate in the Alcohol Test and Lock Program;*
- *Your driving privileges are not revoked or suspended by WV or any other state or jurisdiction for any reason; and*
- *You do not have any other DUI or DUI-related offenses under appeal at any level.*

**IMPORTANT:** If you wish to take advantage of this opportunity, your application for the Alcohol Test and Lock Program must be received **before** the effective date of your revocation. If you choose this option, you waive your right to an administrative hearing. Also please note, the full minimum revocation period listed on your Order of Revocation will become additional participation time on the Program.

If you do not choose this option, your revocation period will be as stated in your Order of Revocation.

