West Virginia Alcohol Test and Lock (Interlock)
Program Violation Demerit System

As of January 1, 2005 a new policy has been instituted concerning the assessment and penalty for verified violations of the West Virginia Interlock Program.

All participants of the WV Interlock Program are governed by the following demerit system. This demerit system has been established to formalize the Division of Motor Vehicle's policy regarding violations occurring during participation of the Interlock Program. Demerit accumulation may cause an extension of the program participation and /or disqualification. For example, participants of the Interlock Program that blow a High BrAC upon initial start up of his/her vehicle may be assessed a $50 fee by the servicing Interlock provider. Upon verification of this violation by the Division of Motor Vehicles a demerit assessment, program extension and /or disqualification will be administered in accordance with this policy. The Division shall monitor for program compliance every thirty days from the date of installation. All violations occurring within a monitoring period will be reviewed and the violation causing the greatest demerit value will be assessed.

Demerits will be assigned as follows:

2 Demerit Violations
BrAC reading of .025 to .049

3 Demerit Violations
BrAC reading of .050 to .079
Running Retest Violations
3 missed appointment charges
Failure to enroll in Safety and Treatment within 60 days

4 Demerit Violations
BrAC reading of .080 or higher*
Start up Violation

Penalty time will be assessed as follows:

a. Acquiring 3-5 Demerits will add 2 months to participant's program length

b. Acquiring 6-8 Demerits will add 4 months to participant's program length

c. Acquiring 9-11 Demerits will add 6 months to participant's program length

Any participant who accumulates 12 or more demerits in a 12 month period will be removed from the program

Violations requiring automatic removal

- **Tampering with or bypassing the Interlock system**
- **Driving an unequipped vehicle**
- **Any arrest for driving while under the influence of any intoxicant or drug**
- **Continued failure to enroll in the DUI Safety and Treatment Program after demerits have been assessed for the initial failure**
- **Failure to participate and/or successfully complete the DUI Safety and Treatment Program**
- **Any evidence of intentional circumvention of Interlock system or rules**

Participants who are originally required to be on the program for more than 24 months are eligible for a reduction in demerits. If a driver has zero demerits in 12 consecutive months, he or she will have 6 demerits removed from their record. Any extension of participation length added to the driver as a penalty due to an accumulation of demerits will stay in effect, ONLY the demerits will be removed. Participants are not eligible for demerit reduction if no demerits have been accrued.

I hereby declare that I understand the West Virginia Alcohol Test and Lock Violation Demerit System. I understand that if I am removed from the program before I complete my contractual participation, I must serve the remainder of the original license revocation period. Participation time served on the Interlock program shall not count towards fulfilling the requirements of the original revocation period.

No Participant will be removed with recorded violations during the last 60 days of scheduled participation and shall be assessed additional penalty time up to 60 days or until final download is violation free.

DATE	APPLICANTS SIGNATURE	DRIVER LICENSE NUMBER

*** Any BrAC reading of .08 or higher will result in a letter being sent to the Safety and Treatment Facility (if applicable) where he/she is currently enrolled. Such violations may result in additional time in the Safety and Treatment program and/or removal.**

REV 02/2010