

# HOUSE BILL No. 5630

March 26, 1990, Introduced by Reps. Honigman, Van Regenmorter, Perry Bullard, Willis Bullard and Nye and referred to the Committee on Judiciary.

A bill to amend the title and sections 625, 625b, 625k, and 625l of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

sections 625 and 625b as amended and sections 625k and 625l as added by Act No. 109 of the Public Acts of 1987, being sections 257.625, 257.625b, 257.625k, and 257.625l of the Michigan Compiled Laws; and to add sections 625m and 625n.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. The title and sections 625, 625b, 625k, and 625l  
2 of Act No. 300 of the Public Acts of 1949, sections 625 and 625b  
3 as amended and sections 625k and 625l as added by Act No. 109 of  
4 the Public Acts of 1987, being sections 257.625, 257.625b,  
5 257.625k, and 257.625l of the Michigan Compiled Laws, are amended  
6 and sections 625m and 625n are added to read as follows:

## TITLE

1  
2 An act to provide for the registration, titling, sale,  
3 transfer, and regulation of vehicles operated upon the public  
4 highways of this state or any other place open to the general  
5 public and distressed vehicles; to provide for the licensing of  
6 dealers; to provide for the examination, licensing, and control  
7 of operators and chauffeurs; to provide for the giving of proof  
8 of financial responsibility and security by owners and operators  
9 of vehicles; to provide for the imposition, levy, and collection  
10 of specific taxes on vehicles, and the levy and collection of  
11 sales and use taxes, license fees, and permit fees; to provide  
12 for the regulation and use of streets and highways; TO PROVIDE  
13 FOR THE REGULATION OF CERTAIN MANUFACTURERS; to create certain  
14 funds; to provide penalties and sanctions for a violation of this  
15 act; to provide for civil liability of owners and operators of  
16 vehicles and service of process on residents and nonresidents; to  
17 provide for the levy of certain assessments; to provide for the  
18 enforcement of this act; to provide for the creation of and to  
19 prescribe the powers and duties of certain state agencies; to  
20 repeal all other acts or parts of acts inconsistent with this act  
21 or contrary to this act; and to repeal certain parts of this act  
22 on a specific date.

23 Sec. 625. (1) A person, whether licensed or not, who is  
24 under the influence of intoxicating liquor or a controlled sub-  
25 stance, or a combination of intoxicating liquor and a controlled  
26 substance, shall not operate a vehicle upon a highway or other  
27 place open to the general public, including an area designated

1 for the parking of vehicles, within the state. A peace officer  
2 may, without a warrant, arrest a person when the peace officer  
3 has reasonable cause to believe that the person was, at the time  
4 of an accident, the driver of a vehicle involved in the accident  
5 and was operating the vehicle upon a public highway or other  
6 place open to the general public, including an area designated  
7 for the parking of vehicles, in the state while in violation of  
8 this subsection or of subsection (2), or of a local ordinance  
9 substantially corresponding to this subsection or subsection  
10 (2).

11 (2) A person, whether licensed or not, whose blood contains  
12 0.10% or more by weight of alcohol, shall not operate a vehicle  
13 upon a highway or other place open to the general public, includ-  
14 ing an area designated for the parking of vehicles, within the  
15 state.

16 (3) The owner of a vehicle or a person in charge or in con-  
17 trol of a vehicle shall not authorize or knowingly permit the  
18 vehicle to be operated upon a highway or other place open to the  
19 general public, including an area designated for the parking of  
20 motor vehicles, within the state by a person who is under the  
21 influence of intoxicating liquor or a controlled substance, or a  
22 combination of intoxicating liquor and a controlled substance.

23 (4) Except as otherwise provided in this section, a person  
24 who is convicted of a violation of subsection (1), (2), or (3) is  
25 guilty of a misdemeanor, punishable by imprisonment for not more  
26 than 90 days, or a fine of not less than \$100.00 nor more than  
27 \$500.00, or both, together with costs of the prosecution. As

1 part of the sentence for a violation of subsection (1) or (2),  
2 the court shall order the secretary of state to suspend the  
3 operator's or chauffeur's license of the person for a period of  
4 not less than 6 months nor more than 2 years. The court may  
5 order the secretary of state to issue to the person a restricted  
6 license permitting the person during all or a specified portion  
7 of the period of suspension to drive only to and from the  
8 person's residence and work location; in the course of the  
9 person's employment or occupation; to and from an alcohol or drug  
10 education program or treatment program as ordered by the court;  
11 to and from the person's residence and an educational institution  
12 at which the person is enrolled as a student; or pursuant to a  
13 combination of these restrictions. The court may also order that  
14 the restricted license include the requirement that a person  
15 shall not operate a motor vehicle unless the vehicle is equipped  
16 with a functioning ~~certified~~ ignition interlock device. The  
17 device shall be set to render the motor vehicle inoperable if the  
18 device detects 0.02% or more by weight of alcohol in the blood of  
19 the person who offers a breath sample. The court may order  
20 installation of ~~a certified~~ AN ignition interlock device on any  
21 motor vehicle that the person owns or operates, the costs of  
22 which shall be borne by the person whose license is restricted.  
23 THE COURT SHALL NOT ORDER THE INSTALLATION OF AN IGNITION INTER-  
24 LOCK DEVICE UNLESS THE MANUFACTURER OF THE DEVICE HAS COMPLIED  
25 WITH SECTION 625K. THE COURT SHALL ONLY ORDER THE INSTALLATION  
26 OF AN IGNITION INTERLOCK DEVICE IF THE DEVICE IS ACCURATE, DOES  
27 NOT IMPEDE THE SAFE OPERATION OF THE MOTOR VEHICLE, AND IS

1 RESISTANT TO TAMPERING AND CIRCUMVENTION ATTEMPTS. The court  
2 shall not order the secretary of state to issue a restricted  
3 chauffeur's license which would permit a person to operate a  
4 truck or truck tractor, including a trailer, which hauls hazard-  
5 ous material. The court shall not order the secretary of state  
6 to issue a restricted license unless the person states under oath  
7 and the court finds that the person is unable to take public  
8 transportation to and from his or her work location, place of  
9 alcohol or drug education or treatment, or educational institu-  
10 tion, and does not have any family members or others able to pro-  
11 vide transportation. The court order and license shall indicate  
12 the person's work location and the approved route or routes and  
13 permitted times of travel. For purposes of this subsection,  
14 "work location" includes, as applicable, either or both of the  
15 following:

16 (i) The specific place or places of employment.

17 (ii) The territory or territories regularly visited by the  
18 person in pursuance of the person's occupation.

19 (5) A person who violates subsection (1) or (2) or a local  
20 ordinance substantially corresponding to subsection (1) or (2)  
21 within 7 years of a prior conviction may be sentenced to impris-  
22 onment for not more than 1 year, or a fine of not more than  
23 \$1,000.00, or both. As part of the sentence, the court shall  
24 order the secretary of state to revoke the operator's or  
25 chauffeur's license of the person. For purposes of this section,  
26 "prior conviction" means a conviction under subsection (1) or  
27 (2), a local ordinance substantially corresponding to subsection

1 (1) or (2), or a law of another state substantially corresponding  
2 to subsection (1) or (2).

3 (6) A person who violates subsection (1) or (2) or a local  
4 ordinance substantially corresponding to subsection (1) or (2)  
5 within 10 years of 2 or more prior convictions, as defined in  
6 subsection (5), is guilty of a felony. As part of the sentence,  
7 the court shall order the secretary of state to revoke the  
8 operator's or chauffeur's license of the person.

9 (7) As part of the sentence for a violation of subsection  
10 (1) or (2), or a local ordinance substantially corresponding to  
11 subsection (1) or (2), the court may order the person to perform  
12 service to the community, as designated by the court, without  
13 compensation, for a period not to exceed 12 days. The person  
14 shall reimburse the state or appropriate local unit of government  
15 for the cost of insurance incurred by the state or local unit of  
16 government as a result of the person's activities under this  
17 subsection.

18 (8) Before imposing sentence for a violation of subsection  
19 (1) or (2) or a local ordinance substantially corresponding to  
20 subsection (1) or (2), the court shall order the person to  
21 undergo screening and assessment by a person or agency designated  
22 by the office of substance abuse services, to determine whether  
23 the person is likely to benefit from rehabilitative services,  
24 including alcohol or drug education and alcohol or drug treatment  
25 programs. As part of the sentence, the court may order the  
26 person to participate in and successfully complete 1 or more  
27 appropriate rehabilitative programs. The person shall pay for

1 the costs of the screening, assessment, and rehabilitative  
2 services.

3 (9) Before accepting a plea of guilty under this section,  
4 the court shall advise the accused of the statutory consequences  
5 possible as the result of a plea of guilty in respect to suspen-  
6 sion or revocation of an operator's or chauffeur's license, the  
7 penalty imposed for violation of this section, and the limitation  
8 on the right of appeal.

9 (10) The operator's or chauffeur's license of a person found  
10 guilty of violating subsection (1) or (2), or a local ordinance  
11 substantially corresponding to subsection (1) or (2), shall be  
12 surrendered to the court in which the person was convicted, and  
13 the court shall immediately forward the surrendered license and  
14 an abstract of conviction to the secretary of state. The  
15 abstract of conviction shall indicate the sentence imposed. Upon  
16 receipt of, and pursuant to the abstract of conviction, the sec-  
17 retary of state shall suspend or revoke the person's license and,  
18 if ordered by the court and the person is otherwise eligible for  
19 a license, issue to the person a restricted license stating the  
20 limited driving privileges indicated on the abstract. If the  
21 license is not forwarded to the secretary of state, an explana-  
22 tion of the reason why the license is absent shall be attached.  
23 If the conviction is appealed to circuit court, that court may,  
24 ex parte, order the secretary of state to rescind the suspension,  
25 revocation, or restricted license issued pursuant to this  
26 section.

1       Sec. 625b. (1) A person shall not operate a vehicle upon a  
2 highway or other place open to the general public, including an  
3 area designated for the parking of vehicles, within the state  
4 when, due to the consumption of an intoxicating liquor, a con-  
5 trolled substance, or a combination of an intoxicating liquor and  
6 a controlled substance, the person has visibly impaired his or  
7 her ability to operate the vehicle. If a person is charged with  
8 violating section 625(1) or (2), a finding of guilty is permissi-  
9 ble under this section.

10       (2) Except as otherwise provided in this section, a person  
11 convicted of a violation of this section is guilty of a misde-  
12 meanor, punishable by imprisonment for not more than 90 days, or  
13 a fine of not more than \$300.00, or both, together with costs of  
14 the prosecution. As part of the sentence, the court shall order  
15 the secretary of state to suspend the operator's or chauffeur's  
16 license of the person for a period of not less than 90 days nor  
17 more than 1 year. The court may order the secretary of state to  
18 issue to the person a restricted license permitting the person  
19 during all or a specified portion of the period of suspension to  
20 drive only to and from the person's residence and work location;  
21 in the course of the person's employment or occupation; to and  
22 from an alcohol or drug education program or treatment program as  
23 ordered by the court; to and from the person's residence and an  
24 educational institution at which the person is enrolled as a stu-  
25 dent; or pursuant to a combination of these restrictions. The  
26 court may also order that the restricted license include the  
27 requirement that a person shall not operate a motor vehicle



1 unless the vehicle is equipped with a functioning ~~certified~~  
2 ignition interlock device. The device shall be set to render the  
3 motor vehicle inoperable if the device detects 0.02% or more by  
4 weight of alcohol in the blood of the person who offers a breath  
5 sample. The court may order installation of ~~a certified~~ AN  
6 ignition interlock device on any motor vehicle that the person  
7 owns or operates, the costs of which shall be borne by the person  
8 whose license is restricted. THE COURT SHALL NOT ORDER THE  
9 INSTALLATION OF AN IGNITION INTERLOCK DEVICE UNLESS THE MANUFAC-  
10 Turer of the device has complied with SECTION 625K. THE COURT  
11 SHALL ONLY ORDER THE INSTALLATION OF AN IGNITION INTERLOCK DEVICE  
12 IF THE DEVICE IS ACCURATE, DOES NOT IMPEDE THE SAFE OPERATION OF  
13 THE MOTOR VEHICLE, AND IS RESISTANT TO TAMPERING AND CIRCUMVEN-  
14 TION ATTEMPTS. The court shall not order the secretary of state  
15 to issue a restricted chauffeur's license which would permit a  
16 person to operate a truck or truck tractor, including a trailer,  
17 which hauls hazardous material. The court shall not order the  
18 secretary of state to issue a restricted license unless the  
19 person states under oath and the court finds that the person is  
20 unable to take public transportation to and from his or her work  
21 location, place of alcohol or drug education or treatment, or  
22 educational institution, and does not have any family members or  
23 others able to provide transportation. The court order and  
24 license shall indicate the person's work location and the  
25 approved route or routes and permitted times of travel. For pur-  
26 poses of this subsection, "work location" includes, as  
27 applicable, either or both of the following:

1       (i) The specific place or places of employment.

2       (ii) The territory or territories regularly visited by the  
3 person in pursuance of the person's occupation.

4       (3) A person who violates this section or a local ordinance  
5 substantially corresponding to this section within 7 years of a  
6 prior conviction may be sentenced to imprisonment for not more  
7 than 1 year, or a fine of not more than \$1,000.00, or both. As  
8 part of the sentence, the court shall order the secretary of  
9 state to suspend the operator's or chauffeur's license of the  
10 person for a period of not less than 6 months nor more than 18  
11 months. The court may order the secretary of state to issue to  
12 the person a restricted license as provided in subsection (2),  
13 except that a restricted license shall not be issued during the  
14 first 60 days of the suspension period. For purposes of this  
15 section, "prior conviction" means a conviction under this sec-  
16 tion, section 625(1) or (2), a local ordinance substantially cor-  
17 responding to this section or section 625(1) or (2), or a law of  
18 another state substantially corresponding to this section or sec-  
19 tion 625(1) or (2).

20       (4) A person who violates this section, or a local ordinance  
21 substantially corresponding to this section, within 10 years of 2  
22 or more prior convictions, as defined in subsection (3), may be  
23 sentenced as provided in subsection (3), except that as part of  
24 the sentence the court shall order the secretary of state to  
25 revoke the operator's or chauffeur's license of the person.

26       (5) As part of the sentence for a violation of this section  
27 or a local ordinance substantially corresponding to this section,

1 the court may order the person to perform service to the  
2 community, as designated by the court, without compensation, for  
3 a period not to exceed 12 days. The person shall reimburse the  
4 state or appropriate local unit of government for the cost of  
5 insurance incurred by the state or local unit of government as a  
6 result of the person's activities under this subsection.

7 (6) Before imposing sentence for a violation of this section  
8 or a local ordinance substantially corresponding to this section,  
9 the court shall order the person to undergo screening and assess-  
10 ment by a person or agency designated by the office of substance  
11 abuse services, to determine whether the person is likely to ben-  
12 efit from rehabilitative services, including alcohol or drug edu-  
13 cation and alcohol or drug treatment programs. As part of the  
14 sentence, the court may order the person to participate in and  
15 successfully complete 1 or more appropriate rehabilitative  
16 programs. The person shall pay for the costs of the screening,  
17 assessment, and rehabilitative services.

18 (7) Before accepting a plea of guilty under this section,  
19 the court shall advise the accused of the statutory consequences  
20 possible as a result of a plea of guilty in respect to suspension  
21 or revocation of an operator's or chauffeur's license, the pen-  
22 alty imposed for violation of this section, and the limitation on  
23 the right of appeal.

24 (8) The operator's or chauffeur's license of a person found  
25 guilty of violating this section, or a local ordinance substan-  
26 tially corresponding to this section, shall be surrendered to the  
27 court in which the person was convicted. The court shall

1 immediately forward the surrendered license and an abstract of  
2 conviction to the secretary of state. The abstract of conviction  
3 shall indicate the sentence imposed. Upon receipt of and pursu-  
4 ant to the abstract of conviction, the secretary of state shall  
5 suspend or revoke the person's license and, if ordered by the  
6 court and the person is otherwise eligible for a license, issue  
7 to the person a restricted license stating the limited driving  
8 privileges indicated on the abstract. If the license is not for-  
9 ward to the secretary of state, an explanation of the reason  
10 why the license is absent shall be attached. If the conviction  
11 is appealed to circuit court, that court may, ex parte, order the  
12 secretary of state to rescind the suspension, revocation, or  
13 restricted license issued pursuant to this section.

14       Sec. 625k. ~~(1) The department shall circulate specifica-~~  
15 ~~tions to all known manufacturers, and shall certify or cause to~~  
16 ~~be certified ignition interlock devices and shall publish a list~~  
17 ~~of all manufacturers of certified devices.~~

18       ~~(2) The cost of certification shall be borne by the manufac-~~  
19 ~~turers of interlock ignition devices. In certifying the devices,~~  
20 ~~those which are accurate, do not impede the safe operation of the~~  
21 ~~vehicle, and have the fewest opportunities to be bypassed shall~~  
22 ~~be certified.~~

23       (1) A COURT SHALL NOT ORDER THE INSTALLATION OF AN IGNITION  
24 INTERLOCK DEVICE UNLESS THE MANUFACTURER OF THE DEVICE HAS FILED  
25 COPIES OF ALL OF THE FOLLOWING WITH THE COURT:

26       (A) A PROPERLY EXECUTED BOND AS REQUIRED BY SECTION 625M.

1 (B) EVIDENCE OF INSURANCE COVERAGE AS REQUIRED BY  
2 SECTION 625N.

3 (C) AN AFFIDAVIT THAT THE IGNITION INTERLOCK DEVICE IS A  
4 BLOOD ALCOHOL CONCENTRATION EQUIVALENCE MEASURING DEVICE THAT  
5 PREVENTS A MOTOR VEHICLE FROM BEING STARTED AT ANY TIME WITHOUT  
6 FIRST DETERMINING THROUGH A DEEP LUNG SAMPLE THE OPERATOR'S  
7 EQUIVALENT BREATH ALCOHOL LEVEL AND IS CALIBRATED SO THAT THE  
8 MOTOR VEHICLE CANNOT BE STARTED IF THE OPERATOR'S BLOOD ALCOHOL  
9 LEVEL REACHES A LEVEL OF 0.02% AS MEASURED BY THE TEST.

10 (2) A MANUFACTURER THAT HAS MADE A FILING UNDER  
11 SUBSECTION (1) SHALL IMMEDIATELY NOTIFY THE COURT WHERE THE  
12 FILING WAS MADE IF ANY OF THE FOLLOWING OCCUR:

13 (A) THE BOND REQUIRED BY SUBSECTION (1)(A) IS CANCELED.

14 (B) THE INSURANCE REQUIRED BY SUBSECTION (1)(B) IS TERMI-  
15 NATED, CANCELED, OR HAS LAPSED.

16 (C) THE DEVICE NO LONGER MEETS THE REQUIREMENTS OF  
17 SUBSECTION (1)(C).

18 (3) IF A COURT RECEIVES THE NOTIFICATION REQUIRED BY  
19 SUBSECTION (2), THE COURT SHALL NOT ORDER INSTALLATION OF THAT  
20 MANUFACTURER'S IGNITION INTERLOCK DEVICE AND SHALL PROVIDE THAT  
21 ANY OF THAT MANUFACTURER'S IGNITION INTERLOCK DEVICES PREVIOUSLY  
22 ORDERED BE REPLACED OR REMOVED.

23 (4) A MANUFACTURER SHALL PROVIDE TO EACH PERSON WHO HAS A  
24 COURT ORDERED IGNITION INTERLOCK DEVICE A COPY OF THE INFORMATION  
25 FILED WITH THE COURT UNDER SUBSECTION (1)(A) AND (B). A PERSON  
26 WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR,  
27 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR A FINE OF

1 NOT MORE THAN \$1,000.00, OR BOTH, TOGETHER WITH COSTS OF THE  
2 PROSECUTION.

3 (5) A PERSON WHO KNOWINGLY PROVIDES FALSE INFORMATION TO A  
4 COURT UNDER SUBSECTION (1) IS GUILTY OF A FELONY, PUNISHABLE BY  
5 IMPRISONMENT FOR NOT LESS THAN 5 YEARS OR MORE THAN 10 YEARS, OR  
6 A FINE OF NOT LESS THAN \$5,000.00 OR MORE THAN \$10,000.00, OR  
7 BOTH, TOGETHER WITH COSTS OF THE PROSECUTION.

8 (6) A PERSON WHO NEGLIGENTLY OR RECKLESSLY PROVIDES FALSE  
9 INFORMATION TO A COURT UNDER SUBSECTION (1) IS GUILTY OF A MISDE-  
10 MEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR A  
11 FINE OF NOT MORE THAN \$1,000.00, OR BOTH, TOGETHER WITH COSTS OF  
12 THE PROSECUTION.

13 (7) A PERSON WHO KNOWINGLY FAILS TO COMPLY WITH  
14 SUBSECTION (2) IS GUILTY OF A FELONY, PUNISHABLE BY IMPRISONMENT  
15 FOR NOT LESS THAN 5 YEARS OR MORE THAN 10 YEARS, OR A FINE OF NOT  
16 LESS THAN \$5,000.00 OR MORE THAN \$10,000.00, OR BOTH, TOGETHER  
17 WITH COSTS OF THE PROSECUTION.

18 (8) A PERSON WHO NEGLIGENTLY OR RECKLESSLY FAILS TO COMPLY  
19 WITH SUBSECTION (2) IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY  
20 IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR A FINE OF NOT MORE THAN  
21 \$1,000.00, OR BOTH, TOGETHER WITH COSTS OF THE PROSECUTION.

22 Sec. 6254. (1) The ~~department~~ MANUFACTURER OF AN IGNITION  
23 INTERLOCK DEVICE shall design a warning label which shall be  
24 promptly affixed by the person who has a court ordered ignition  
25 interlock device installed to each ignition interlock device upon  
26 installation. The label shall contain a warning that any person

1 tampering, circumventing, or otherwise misusing the device is  
2 guilty of a misdemeanor punishable as provided by law.

3       (2) A person who has a court ordered ignition interlock  
4 device installed, and whose driving privilege is restricted pur-  
5 suant to section 625 or 625b, shall not request or solicit any  
6 other person to blow into an ignition interlock device or to  
7 start a vehicle equipped with the device for the purpose of pro-  
8 viding the person whose driving privilege is restricted with an  
9 operable vehicle.

10       (3) A person shall not blow into an ignition interlock  
11 device or start a motor vehicle equipped with the device for the  
12 purpose of providing an operable vehicle to a person who has a  
13 court ordered IGNITION interlock device installed, and whose  
14 driving privilege is restricted pursuant to section 625 or 625b.

15       (4) A person shall not tamper with or circumvent the opera-  
16 tion of an ignition interlock device.

17       (5) A person who violates this section is guilty of a misde-  
18 meanor, punishable by imprisonment for not more than 6 months or  
19 a fine of not more than \$5,000.00, or both.

20       (6) As used in this section and sections 625, 625b, ~~and~~  
21 625k, 625M, AND 625N, "ignition interlock device" or "device"  
22 means a blood alcohol concentration equivalence measuring device  
23 ~~which~~ THAT prevents a motor vehicle from being started at any  
24 time without first determining through a deep lung sample the  
25 operator's equivalent breath alcohol level. The system shall be  
26 calibrated so that the motor vehicle may not be started if the

1 blood alcohol level of the operator, as measured by the test,  
2 reaches a level of 0.02%.

3 SEC. 625M. (1) AN IGNITION INTERLOCK DEVICE SHALL NOT BE  
4 SOLD, LEASED, OR INSTALLED IN A VEHICLE IN THIS STATE UNLESS THE  
5 MANUFACTURER HAS A PROPERLY EXECUTED BOND OR BOND RENEWAL CERTIF-  
6 ICATE FOR THE DEVICE. IF A BOND RENEWAL CERTIFICATE IS IN  
7 EFFECT, THE BOND SHALL BE CONSIDERED AS RENEWED FOR EACH SUCCEED-  
8 ING YEAR IN THE SAME AMOUNT AND WITH THE SAME EFFECT AS AN ORIGI-  
9 NAL BOND.

10 (2) THE BOND SHALL BE IN THE AMOUNT OF \$50,000.00 WITH GOOD  
11 AND SUFFICIENT SURETY.

12 (3) THE BOND SHALL BE CONDITIONED TO INDEMNIFY OR REIMBURSE  
13 A PERSON WHO HAS AN IGNITION INTERLOCK DEVICE INSTALLED ON HIS OR  
14 HER VEHICLE FOR MONETARY LOSS CAUSED THROUGH FRAUD, CHEATING,  
15 MISREPRESENTATION, OR DEFAULTING ON A CONTRACTUAL OBLIGATION BY  
16 THE MANUFACTURER, WHETHER THE FRAUD, CHEATING, MISREPRESENTATION,  
17 OR DEFAULTING WAS DONE BY THE MANUFACTURER OR BY AN EMPLOYEE,  
18 AGENT, OR SALESPERSON OF THE MANUFACTURER.

19 (4) THE SURETY SHALL BE REQUIRED TO MAKE INDEMNIFICATION OR  
20 REIMBURSEMENT FOR A MONETARY LOSS ONLY AFTER FINAL JUDGMENT HAS  
21 BEEN ENTERED IN A COURT OF RECORD AGAINST THE MANUFACTURER, OR AN  
22 EMPLOYEE, AGENT, OR SALESPERSON OF THE MANUFACTURER.

23 SEC. 625N. (1) AN IGNITION INTERLOCK DEVICE SHALL NOT BE  
24 SOLD, LEASED, OR INSTALLED IN A VEHICLE IN THIS STATE UNLESS THE  
25 IGNITION INTERLOCK DEVICE MANUFACTURER CARRIES LIABILITY INSUR-  
26 ANCE COVERING PRODUCT LIABILITY, INCLUDING, BUT NOT LIMITED TO,  
27 INSURANCE TO INDEMNIFY ANY PERSON INJURED AS A RESULT OF A



1 MALFUNCTION OR DESIGN DEFECT OF THE IGNITION INTERLOCK DEVICE OR  
2 A MISREPRESENTATION ABOUT THE IGNITION INTERLOCK DEVICE.

3       (2) THE INSURANCE REQUIRED BY SUBSECTION (1) SHALL BE IN AN  
4 AMOUNT OF NOT LESS THAN \$1,000,000.00 PER INCIDENT.