



# News Release

from Barbara J. Fiala, Broome County Executive

**For Immediate Release**  
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## **Ignition Interlock Provision of Leandra's Law Takes Effect August 15<sup>th</sup> in New York State**

*All people convicted of Driving While Intoxicated  
will be required to install an interlock device on any vehicle they own or operate.*

(Binghamton, NY) Starting August 15, 2010, any defendant convicted of a misdemeanor or felony Driving While Intoxicated or Driving with a BAC of .08% or more offense which occurred on or after November 18, 2009 must be sentenced to either a conditional discharge or probation and must, as a condition of his or her sentence, install an ignition interlock device on any vehicle he or she owns or operates. The device must be installed for a period of at least six months, and can be ordered to be installed for the entire period of the defendant's conditional discharge or probation supervision.

An ignition interlock is a breathalyzer device that is installed in a vehicle. The operator must provide a breath sample in order to make the car start. If the operator has been drinking the vehicle will not start.

The defendant will be responsible for the cost of installing and maintaining the device on his or her vehicle(s) unless the court determines that the defendant is financially unable to afford the cost. In that case, the cost may be paid through an installment payment plan or waived entirely.

Failure to provide to the court proof of compliance with the ignition interlock requirement may result in the revocation of the defendant's conditional discharge or probation sentence and result in re-sentencing. In addition, V&T Law Section 1198 (9) has been amended to provide criminal sanctions for a defendant who attempt to circumvent or tamper with an ignition interlock device installed on his or her vehicle(s):

- It is a Class A misdemeanor for a person required to operate a vehicle with an ignition interlock device to request, solicit or allow another person to blow into the device or start a vehicle equipped with the device for the purpose of allowing the restricted person from operating the vehicle. [V&T Law Section 1198(9) (a)]
- It is a Class A misdemeanor for a person to blow into an ignition interlock device or start a vehicle equipped with an ignition interlock device for the purpose of providing an operable vehicle to a person who is required to only operate the vehicle equipped with such a device. [V&T Law Section 1198 (9) (b)]
- It is a Class A misdemeanor to tamper with or circumvent an otherwise operable ignition interlock device. [V&T Law Section 1198 (9) (c)]
- It is a Class A misdemeanor for a person subject to a court ordered ignition interlock device to operate a motor vehicle without such a device. [V&T Law Section 1198 (9) (d)]

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