

December 2019

Victorian Alcohol Interlock Program

Key participant guidelines and rules of the program

This overview provides guidance for all participants on the Victorian Alcohol Interlock Program and how to successfully complete the Program and apply to have the alcohol interlock condition removed from your licence.*It's assumed you've already gone through the steps to get your **Victorian driver licence** issued or reissued after a cancellation for an alcohol related or drink driving offence.

Overview

This overview assumes that you've already gone through the steps to get your **Victorian driver licence** issued or reissued after a cancellation for an alcohol related or drink driving offence. This means that you've already met all your relicensing requirements including installing a VicRoads approved alcohol interlock.

Your licence has an alcohol interlock ('I') condition which means that you can only drive or ride a vehicle fitted with an approved alcohol interlock. Additionally, you must drive with a zero BAC which means that if you drink at all, you must not drive. This zero BAC restriction applies to all drivers for at least three years from the time they are relicensed.

Now that you've installed a VicRoads approved alcohol interlock, and you have a current licence, you're a participant on the Victorian Alcohol Interlock Program. The 'I' condition will remain on your licence until VicRoads has determined that it can be removed. This can't occur until after your required alcohol interlock period ends. The duration of your alcohol interlock period depends on your driving history involving alcohol related offences. After having a current licence for that duration of time, you can apply to VicRoads to assess your alcohol interlock usage to determine that you've successfully separated drinking from driving.

Using a VicRoads approved alcohol interlock

The service agent will have trained you to use the alcohol interlock and provided instructions. Anyone else who drives the vehicle/s should also be trained to use the alcohol interlock and follow the instructions.

The alcohol interlock will require any driver to provide an alcohol-free breath test before the vehicle will start. The alcohol interlock will also request breath tests during a trip. If you fail or do not take a breath test and you keep driving, the vehicle's lights and horn will activate.

Whenever you use the vehicle/s, the alcohol interlock will record actions such as blowing into the interlock, starting and turning off the engine. The recorded information is downloaded at servicing by your alcohol interlock supplier agent and is used by VicRoads to make decisions about removing your alcohol interlock. The vehicle/s must be brought to all scheduled services.

Alcohol interlocks with cameras

Alcohol interlocks with cameras were introduced from 30 January 2015. All new alcohol interlock installations from that date onwards are required to have a camera. Motorcycles are exempt from this requirement.

The alcohol interlock service agent will take your reference photo with the alcohol interlock camera at the time of installation. The camera will take a number of photos during each trip, for example when you blow into the interlock to start the car. These photos provide a record of who is driving the vehicle which can be compared to your reference photo.

It is very important all drivers blow into the interlock when requested so that the camera can take a **clear full face image of the driver**. Unless the image clearly shows someone else blowing into the interlock, it'll be assumed that you're the driver. See Program Rules for more information about how this may delay removal of the interlock.

Note that approved alcohol interlocks installed before 30 January 2015 don't need to be changed or upgraded to fit a camera. However, as there is no image available, it will be assumed that you're the driver.

Alcohol interlock costs

Your alcohol interlock supplier will charge you for installation, monthly leasing and servicing, removal and other services.

The supplier is also required to collect the government cost recovery fee. This fee is required, by law, to recover the cost of VicRoads delivering the Victorian Alcohol Interlock Program. You pay this fee along with your agreed alcohol interlock servicing charges. Your alcohol interlock service agent will forward the fee to VicRoads. This fee is separate and additional to your commercial agreement with your alcohol interlock supplier charged by the alcohol interlock service agent.

There are no exemptions available for this cost recovery fee and VicRoads does not have any discretion to waive this fee. However, participating drivers who hold certain concession cards may be eligible for reduced fees.

Concessions

A concession may be available to holders of a range of government concession cards, to assist in managing the costs of installing and maintaining an alcohol interlock on the Program. The concession card must be in the name of the participating driver, as the primary card holder, and must be presented at installation and at each monthly service to be eligible for a concession.

A concession is available on the initial alcohol interlock installation fee and on the monthly service fee charged by your alcohol interlock service agent. There is also a concession available on the monthly government cost recovery fee for eligible concession card holders. These concessions are only applicable to one vehicle/alcohol interlock per individual participant.

Visit vicroads.vic.gov.au to find out the current government cost recovery fee amount, concessions and eligible concession cards relating to the Victorian Alcohol Interlock Program.

Accessing the Alcohol Interlock Management System

As a participant on the Program, you can register to access the VicRoads Alcohol Interlock Management System (AIMS). AIMS gives you access to view your alcohol interlock usage data to track and monitor your own progress.

To find out how to register for AIMS access, visit vicroads.vic.gov.au and search for 'AIMS'.

Completing the alcohol interlock program

You must complete your minimum alcohol interlock period before being eligible to apply to VicRoads to have your alcohol interlock condition removed from your licence.

If you have any period/s since the 'I' condition was imposed where you did not hold a current licence, the minimum interlock duration will be extended by any period for which a current licence is not held.

If you are unable to separate drinking from driving, you may need to keep the interlock for a longer period.

Proving you have separated drinking from driving

VicRoads looks at the information recorded by your alcohol interlock in making the decision to let you remove your alcohol interlock by removing the 'I' condition from your licence.

There are a number of rules that are used in deciding whether you have successfully separated drinking from driving. VicRoads will apply these rules in the same way to all drivers and are considered to be the alcohol interlock removal criteria.

The main rules are

To progress, you need to follow all the rules of the Alcohol Interlock Program.

The rules are:

- Before you can apply to have your interlock removed, you need to collect a minimum

number of months of alcohol interlock usage data.

- The first month is a learning month to let you get used to using the interlock. You won't be penalised in this month.
- For a month to count towards your progress, you need to:
 - take all the breath tests that the interlock requests,
 - not have any confirmed violations,
 - drive the vehicle at least twice.
- If a failed reading or violation is recorded, you'll need to collect at least another five violation-free months.
- Your five months don't need to be in a row, but if you don't drive at all for six months or more, you'll need to start collecting five months of interlock data again.
- The alcohol interlock camera takes an image whenever the driver blows into the device. It also takes an image of all failed and refused breath tests. This will be displayed in AIMS. If another driver is responsible for the violation, you can contest the violation in AIMS
 - It will be assumed that you were the driver for a certain trip, unless the image clearly shows that someone else was driving.
- You must not tamper with the interlock.

If you have violations or don't follow any of the above rules, you will need to keep the interlock for longer.

Failed BAC readings and violations

A 'violation' will be recorded if you:

- blow a reading of .02 or more,
- refuse to take a breath test when the device requests one, or
- tamper with the interlock.

If a violation is recorded, you'll need to collect at least another five violation-free months.

Some tips on avoiding violations

- If you fail an initial test to start the vehicle, you have 60 minutes to re-test. A violation will be recorded if you fail or refuse the re-test.
- If you fail a breath test while driving the vehicle, or refuse a breath test, you have 15 minutes to re-test. A violation will be recorded if you fail or refuse the re-test.
- Never use the interlock as a personal breathalyser to check if you're okay to drive. A failed breath test will result in a violation.
- Some foods and drinks can contain trace amounts of alcohol, so it's recommended that you only drink water in the 15 minutes before using the interlock. Take note if your interlock supplier warns you about any specific foods or drinks.
- Don't leave your vehicle running and unattended, because the interlock might request a breath test that

you don't notice. This will be recorded as a 'refused breath test'. If you don't re-test within 15 minutes, this is a violation.

- A violation may be recorded if your vehicle's battery is disconnected for 20 minutes or more.
- If you've arrived at your destination and the interlock requests a breath test, you must take the test before switching the vehicle off. A violation will be recorded if you don't re-test within 15 minutes

Applying to have your alcohol interlock removed

You can use AIMS or contact the VicRoads Support Centre for the Victorian Alcohol Interlock Program on 1300 723 790 to apply to have your alcohol interlock condition removed from your licence. You must apply as removal isn't automatic.

The VicRoads Support Centre can assist if you are unable to access AIMS or if you wish to discuss your progress on the Program. If you were not the driver at the time of a violation, you can use AIMS to flag the violation as 'contested' and include notes about why you have contested the violation. This information will be reviewed by VicRoads at the time of assessing your removal application.

2-hour Pre-Interlock Removal BCP

- If you were required to do an Intensive Drink and Drug Driver Program (BCP) to get your licence back, then you will need to complete a 2-hour Pre-Interlock Removal Behaviour Change Program before you can successfully apply for removal.
- If you're not sure whether this applies to you, you can check using AIMS or contact the VicRoads Support Centre for the Alcohol Interlock Program by email alcoholinterlocks@roads.vic.gov.au or call 1300 723790.
- To find a BCP Program provider who offers the Pre-Interlock Removal Program, visit vicroads.vic.gov.au and search 'BCP providers'. Select from the providers who offer the Intensive BCP, or you can contact the Provider that you used when completing the Intensive BCP prior to being relicensed.

Successful application for removal

When you have used the alcohol interlock as required you will receive, in the mail, an alcohol interlock removal authority and a new licence without the 'I' condition. This can take up to 10 business days, depending on how long it takes to review and assess your usage.

Unsuccessful application for removal

If your application for alcohol interlock removal is not successful, VicRoads will contact you to advise why you have not met the necessary criteria for removal of the alcohol interlock. You will also be given information about your review options with VicRoads or via Magistrates' Court.

Requesting a review

As a VicRoads managed participant, you can lodge a request for an internal review if you are not satisfied with the VicRoads decision to deny your application for removal of the alcohol interlock condition. You may lodge a written request for a VicRoads Internal Review within 28 days of the decision.

VicRoads will conduct an internal review and you will be notified of the outcome within 28 days of your request.

Application for direction

If VicRoads does not remove the alcohol interlock condition, you can apply to the Magistrates' Court for review of VicRoads' decision about the identity of the driver at the time a failed breath test was recorded by the alcohol interlock. You can apply to the court if you are seeking a decision about who was driving at the time the alcohol interlock violation/s occurred. This is called a direction hearing and can only be applied for if you have an alcohol interlock with a camera. The court will **not** determine if the alcohol interlock condition should be removed from your licence. The hearing can only consider whether any failed breath test was caused by you.

VicRoads will notify you if the outcome affects your alcohol interlock condition.

Removing an alcohol interlock

Take your vehicle to the alcohol interlock service agent to have the interlock removed. The service agent may ask to see your updated licence and the removal authority.

Your AIMS account will automatically become inactive once you have completed the Victorian Alcohol Interlock Program and your alcohol interlock has been uninstalled by the service agent.

Further information

Issues with your alcohol interlock

If you have any issues relating to your alcohol interlock, please contact your alcohol interlock supplier on the support number provided at the time of installation.

VicRoads does not manage individual issues with an alcohol interlock. This is the responsibility of your chosen supplier and their servicing agent.

For assistance and information about the Victorian Alcohol Interlock Program

If you have any queries or require further information about the Victorian Alcohol Interlock Program:

Call the **VicRoads Support Centre for the Victorian Alcohol Interlock Program** on **1300 723 790**

Email alcoholinterlocks@roads.vic.gov.au