



Department of  
Transport

# Alcohol Interlock Scheme Participant Guide



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***The information contained in this publication is provided in good faith and believed to be accurate at the time of publication. The State shall in no way be liable for any loss sustained or incurred by anyone relying on the information.***

## **1. THE WESTERN AUSTRALIAN ALCOHOL INTERLOCK SCHEME**

The Western Australian Alcohol Interlock Scheme (the Scheme) aims to reduce the road safety risk posed by drink drivers by introducing a mandatory, user pays, performance based Scheme in which alcohol interlock devices provide separation of drinking and driving behaviour.

A driver, who commits and is convicted of a prescribed alcohol interlock offence in Western Australia (WA) on or after 24 October 2016, will have their driver's licence cancelled and be known as an 'alcohol offender'. An alcohol offender who is subsequently granted a driver's licence will have their licence endorsed with an interlock condition and will be known as an 'interlock-restricted driver'.

An interlock-restricted driver may only drive a vehicle fitted with an approved alcohol interlock installed by an accredited service provider.

The interlock condition will only be removed from a person's driver's licence when they have demonstrated the separation of drinking and driving behaviour by satisfying all requirements of the Scheme.

## **2. WHAT IS AN ALCOHOL INTERLOCK**

Alcohol interlocks are electronic breath analysis devices installed in vehicles that prevent the vehicle from being operated unless a breath sample is provided for analysis by the interlock.

The alcohol interlock will prevent the vehicle from being started if the interlock detects alcohol equal to or greater than the pre-set 0.02% Blood Alcohol Content (BAC) limit in the driver's breath sample provided for analysis. Randomly timed breath tests (random re-tests) must be provided when prompted by the interlock whilst driving a vehicle.

### **NOTE:**

**Although the interlock is set at 0.02% BAC, alcohol offenders and interlock-restricted drivers are legally required to have a zero percentage BAC when driving. This requirement will remain until you successfully complete the Scheme.**

The alcohol interlock records every breath sample provided and any attempt to tamper with the interlock. This information is used to monitor the separation of drinking and driving behaviour and determine if there has been a breach of the Scheme requirements.

Only alcohol interlocks approved by the Chief Executive Officer Department of Transport WA (CEO) can be used by an interlock-restricted driver in WA.

## **3. GRANT OF AN INTERLOCK-RESTRICTED DRIVER'S LICENCE**

An interlock condition will automatically be applied to an alcohol offender's driver's licence when:

- an extraordinary licence is granted following a conviction for a prescribed alcohol interlock offence; or
- a driver's licence is granted following a period of disqualification for a prescribed alcohol interlock offence; or
- a driver's licence is granted to a person who takes up residence in WA, who previously held a driver's licence issued in a place other than WA that was endorsed with an interlock condition.

Unless you are granted an exemption, the interlock condition restricts the licence holder to only drive vehicles fitted with an approved alcohol interlock. Drivers will be required to contact an accredited service provider to have an approved alcohol interlock installed in their relevant vehicle.

**NOTE:**

**If you have been granted a WA driver's licence endorsed with an interlock condition, you are not authorised to drive a vehicle with an alcohol interlock that was installed in a place outside of WA.**

**As an interlock-restricted driver, you cannot drive yourself to an accredited service provider. A friend or family member will need to take you. Only after you have had an approved alcohol interlock installed in your vehicle can you legally drive on the road.**

**Driving a vehicle without an approved alcohol interlock installed is an offence against section 49 of the *Road Traffic Act 1974* - driving while unlicensed or disqualified. This may result in a fine, a period of disqualification and possible imprisonment. In addition, a police officer is required to impound the vehicle.**

## **4. EXEMPTIONS**

An alcohol offender may be eligible for an exemption from the WA Alcohol Interlock Scheme if the CEO is satisfied the person:

- resides in a place that is more than 150 kilometres from any premises at which the services of an accredited service provider are provided (distance is calculated in a straight line to the boundary of the property); or
- has a medical condition which prevents the person from operating an approved alcohol interlock. Evidence from a general practitioner or medical specialist is required as part of the exemption application process.

### **Distance Exemptions**

On granting an interlock-restricted licence, the CEO will immediately assess whether you are eligible for a distance exemption. If eligible, you will be granted a driver's licence without the interlock condition.

If you are granted an interlock-restricted licence and later move to an area that is more than 150 kilometres away from the nearest service centre of an accredited service provider, you can make an application for an exemption from the Scheme based on distance. Applications for exemptions on distance grounds must be made on the '[Exemption from Alcohol Interlock Scheme](#)' form (E3) and evidence (such as a utility bill / statement) of your new address will be required as part of the application.

### **Medical Exemptions**

Applications for exemptions on medical grounds must be made on the '[Exemption from Alcohol Interlock Scheme](#)' form (E3). Your general practitioner or medical specialist will need to complete the relevant sections and submit the report to the Department of Transport. The CEO will review your health professional's recommendations and advise you in writing of the outcome of your application for an exemption from the Scheme.

If your driver's licence is cancelled, an application for a new distance or medical exemption will be required when another driver's licence is granted in the future.

## 5. OPTIONS FOR INTERLOCK-RESTRICTED DRIVER

As an interlock-restricted driver, you can only drive vehicles fitted with an approved alcohol interlock. To comply with the legislation, interlock-restricted drivers have two options.

### Option A: Participate in the WA Alcohol Interlock Scheme

As an interlock-restricted driver electing to participate in the Scheme, you will enter into a contract with an accredited service provider for the leasing, installation and removal of an approved alcohol interlock.

You will be required to present the vehicle for scheduled inspections every month to have data downloaded from the interlock. Data downloaded from the interlock will be assessed by the Department of Transport to monitor your drinking and driving behaviour.

You must comply with all the requirements of the Scheme including participating for a minimum period and demonstrate the separation of drinking and driving behaviour for a 180 continuous days immediately prior to exiting the Scheme.

Upon your successful completion of the Scheme, the interlock condition will be removed from your driver's licence and your status as an interlock-restricted driver and an alcohol offender will be revoked.

#### NOTE:

**Any previous participation in an alcohol interlock scheme or program outside of WA cannot be recognised in WA.**

### Option B: Elect not to participate in the WA Alcohol Interlock Scheme

If you elect not to participate in the WA Alcohol Interlock Scheme, you will by law, only be permitted to drive a vehicle fitted with an approved alcohol interlock installed by an accredited service provider. An approved alcohol interlock may be leased from an accredited service provider. You will be required to attend the accredited service provider at regular intervals (to be determined by the service provider) for the interlock to be inspected and calibrated.

The interlock condition will remain on your driver's licence indefinitely and your status as an alcohol offender and interlock-restricted driver will remain, unless you participate in and successfully complete the requirements of the Scheme.

## 6. INSTALLATION OF AN APPROVED ALCOHOL INTERLOCK

Once you have been granted a WA driver's licence with an interlock condition, you will then be required to personally attend an accredited service provider to have an approved alcohol interlock installed in a relevant vehicle.

#### NOTE:

**As an interlock-restricted driver, you cannot drive yourself to an accredited service provider. A friend or family member will need to take you. Only after you have had an approved alcohol interlock installed in your vehicle can you legally drive on the road.**

**Driving a vehicle without an approved alcohol interlock installed is an offence against section 49 of the *Road Traffic Act 1974* - driving while unlicensed or disqualified. This may result in a fine, a period of disqualification and possible imprisonment. In addition, a police officer is required to impound the vehicle.**

If you are participating in the WA Alcohol Interlock Scheme you are required to enter into an 'interlock contract' with an accredited service provider. The contract details the services the accredited service provider will perform to enable you to complete the requirements of the Scheme.

Fees and charges associated with installing and servicing of approved alcohol interlocks must be paid by the participant to the accredited service provider.

## Accredited Service Providers

The following companies are approved as accredited service providers in Western Australia.

- AJEN-SMART START INTERLOCKS
- DRAEGAR SAFETY PACIFIC PTY LTD
- GUARDIAN INTERLOCK SYSTEMS PTY LTD

Service provider locations can be found on the Department of Transport website or by visiting the individual service provider websites.

### NOTE:

**If you have an alcohol interlock in your vehicle that was installed in a place outside of WA, it is not an approved alcohol interlock in WA. The interlock must be examined by an accredited service provider and either replaced or reprogrammed with WA settings, before it will be an approved alcohol interlock for the WA Alcohol Interlock Scheme.**

**If you have been granted a WA driver's licence endorsed with an interlock condition, you are not authorised to drive a vehicle with an alcohol interlock that was installed in a place outside of WA.**

## Proof of identity & vehicle ownership

When you visit the accredited service provider you will need to present your photographic proof of identity, evidence of holding a valid driver's licence, proof of vehicle ownership and any concession cards if applying for a concession (for more information on concessions see page 8).

It is recommended that you contact the accredited service provider before attending to confirm what documents you need to bring with you.

Proof of identity documents include:

- Proof of Age card.
- Driver's licence document.
- Extraordinary licence document.

Evidence of holding a driver's licence includes:

- Driver's licence document.
- Extraordinary licence document.
- Receipts showing proof of payment for a driver's licence or extraordinary licence.

Proof of Vehicle ownership documents:

- Vehicle licence papers.

## Vehicles licensed in the name of another person or company

If you intend to install an approved alcohol interlock into a vehicle that is not licensed in your name, you should contact the accredited service provider before you attend. Each service provider will have its own rules about what proof you need to bring to establish you have permission from the vehicle owner to install an interlock into their vehicle.

## Installation of approved alcohol interlocks in more than one vehicle

If you own or drive more than one vehicle, you may install an approved alcohol interlock in each vehicle. Only the data from one interlock will be used to monitor your compliance with the Scheme. You must nominate which vehicle is installed with the interlock that will be monitored for the purposes of the Scheme.

## Training in the use of the approved alcohol interlock

After the approved alcohol interlock is installed in your vehicle, the accredited service provider will train you in the correct use of the interlock and its features. If the vehicle is used by more than one person they should also attend at the time of installation to be trained in the correct use of the interlock.

## Sharing a vehicle with an approved alcohol interlock

Vehicles fitted with an approved alcohol interlock can be shared with other drivers. However it is important to understand that if you are participating in the WA Alcohol Interlock Scheme, all data recorded by the interlock, including breaches, will be attributed to the participant in the Scheme. This may result in your participation in the Scheme being extended.

## Vehicle lock out

Prior to starting a vehicle, a breath sample must be provided to the approved alcohol interlock. If a breath sample provided to the interlock registers a Blood Alcohol Content (BAC) equal to or greater than 0.02%, the vehicle ignition is locked out by the interlock preventing the vehicle from being started. The period in which the vehicle ignition is locked is dependent on your BAC reading.

- If your initial BAC reading is equal to or greater than 0.02% but less than 0.05%, the vehicle ignition will be locked preventing the vehicle from being started for 5 minutes;
- If your initial BAC reading is equal to or greater than 0.05%, the vehicle ignition will be locked preventing the vehicle from being started for 30 minutes;

## Random re-tests

When driving the vehicle, the approved alcohol interlock will prompt you at random intervals to provide a breath sample for analysis. It is recommended the vehicle is brought to a stop in a safe location to provide the breath sample. You will have 10 minutes to provide the breath sample to the interlock.

Failure to provide the breath sample within the specified time frame is recorded as a breach and will activate the vehicles hazard lights and horn until the breath sample is provided or the ignition is turned off. If the ignition is turned off without providing a breath sample the driver will still be required to provide a breath sample prior to re-starting the vehicle.

## 7. MINIMUM PARTICIPATION PERIODS

The period of time a participant in the WA Alcohol Interlock Scheme is required to drive a vehicle fitted with an approved interlock installed in their nominated vehicle is referred to as the restricted driving period.

The restricted driving period will commence once an approved alcohol interlock has been installed in your nominated vehicle by an accredited service provider under an interlock contract.

The disqualification imposed by the court and the type of licence granted to a person will determine the length of the restricted driving period.

The minimum restricted driving periods are:

- Permanently disqualified alcohol offenders granted an extraordinary licence – one or more restricted driving periods totalling in aggregate at least three (3) years including 180 continuous days immediately prior to exiting the scheme;
- Extraordinary licence holders - the duration of the extraordinary licence including 180 continuous days immediately prior to exiting the scheme. Note: If the duration of the extraordinary licence is less than 180 days, a driver's licence must be obtained immediately (within one (1) day) after the expiry of the extraordinary licence to complete the minimum 180 continuous days.

- Drivers licence holders (not previously granted an extraordinary licence) - 180 continuous days immediately prior to exiting the Scheme.

Other than a permanently disqualified alcohol offender, any period of disqualification must have ended before a person exits the Scheme. The restricted driving period may be extended if a person breaches any of the requirements of the Scheme.

**NOTE:**

**Unless permanently disqualified an interlock-restricted driver cannot complete the scheme whilst on an extraordinary licence. Upon the disqualification period ending the participant must immediately (within one (1) day) obtain an ordinary driver's licence prior to exiting the scheme.**

## **8. SCHEDULED INSPECTIONS**

Once an approved alcohol interlock has been installed in your nominated vehicle under an interlock contract, you will be required to present the vehicle in person every month for inspection at an accredited service provider service centre.

The date of the scheduled monthly inspection will be determined by the service provider based on the date the interlock was installed. Seven (7) days before and after the scheduled inspection date, the interlock will provide a daily reminder message advising an inspection is due.

At each inspection the accredited service provider will download data from the interlock and send that information to the Department of Transport to assess your compliance with the WA Alcohol Interlock Scheme. On one occasion someone other than you can present the vehicle for inspection without breaching this requirement of the Scheme.

**NOTE:**

**Failure to present the interlocked vehicle for a scheduled inspection will result in the interlock permanently locking the vehicle ignition preventing it from being started seven (7) days after the scheduled inspection date. If you fail to present the vehicle you will be required to attend in person for every future inspection whilst participating in the Scheme.**

In the event of permanent lockout an override code must be purchased from your accredited service provider to unlock the vehicle ignition. The vehicle must then be presented for an inspection within a limited time determined by the service provider. If the vehicle is not presented within the specified time frame it will re-enter the permanent lock out mode.

If you hold an extraordinary licence you are authorised to drive, by the most direct convenient route, to and from an accredited service provider service centre to present your vehicle for the scheduled inspection. This provision will not show as a condition on your extraordinary licence as it is provided for in regulation 69M of the *Road Traffic (Authorisation to Drive) Regulations 2014*.

### **Concessions on fees for monthly inspections**

Participants in the WA Alcohol Interlock Scheme are eligible for a concession rate of \$50 off the cost of scheduled inspections if they hold a valid concession card and are receiving the full rate of entitlement.

Valid concession cards listed below need to be presented to the accredited service provider at time of application and at every scheduled inspection.

- Health Care card – low income only
- Department of Veteran Affairs Gold Cards



- Pension Concession card including:
  - Age
  - Veteran Age
  - Carer
  - Service Invalidity
  - Disability Support Pension
  - Disability Support Pension Spouse
  - Disability Support Pension Carer
  - MRCA Veterans (Military Rehabilitation and Compensation)

## 9. BREACHES OF THE WA ALCOHOL INTERLOCK SCHEME

The following events are breaches of the WA Alcohol Interlock Scheme. The consequences of breaching the Scheme are included below in the description of each breach.

### Triggers

Providing a sample of breath with a Blood Alcohol Content (BAC) equal to or greater than 0.02% to an approved alcohol interlock will prevent the operation of the vehicle. This event is known as a 'trigger' and applies to:

- Breath samples provided to the interlock prior to the operation of the vehicle;
- Breath samples provided to the interlock during the operation of the vehicle; or
- Failing to supply a breath sample when requested by the interlock during the operation of the vehicle.

If three (3) or more triggers are recorded by the interlock in any monthly scheduled inspection period, then you have breached a requirement of the Scheme. The current restricted driving period will be terminated and a new restricted driving period will commence from the date of the last trigger recorded by the interlock during the inspection period.

A further 180 continuous days (without any breaches) will be the minimum period before the new restricted driving period can be completed.

The CEO will notify you in writing that you have breached the Scheme and you will be required to attend Alcohol Assessment and Treatment (AAT) conducted by the Mental Health Commission. The completion of the AAT is a requirement to exit the Scheme.

### Tampering with the approved alcohol interlock

Approved alcohol interlocks record any attempt to tamper with or bypass the interlock. The interlock is also fitted with security seals during installation which will be examined at each scheduled inspection.

#### NOTE:

**It is an offence to tamper or circumvent, or attempt to tamper or circumvent the operation of an interlock or to cause or permit another person to do so - the penalty for this offence is \$2500.**

If tampering is detected by the interlock or during physical examination at the scheduled inspection, then you have breached a requirement of the Scheme. The current restricted driving period will be terminated and a new restricted driving period will commence from the date the tampering was recorded by the interlock or the date of the scheduled inspection.

A further 180 continuous days (without any breaches) will be the minimum period before the new restricted driving period can be completed.

The CEO will notify you in writing that you have breached the Scheme and you will be required to attend AAT conducted by the Mental Health Commission. The completion of the AAT is a requirement to exit the Scheme.

## Failure to attend scheduled inspections in person

You are required to present the vehicle in person every month for inspection at an accredited service provider service centre. On one occasion whilst participating in the Scheme, someone other than you can present the vehicle for inspection without breaching a requirement of the Scheme. If this occurs on more than one occasion then you have breached a requirement of the Scheme.

The current restricted driving period will be terminated and a new restricted driving period will commence from the date the vehicle is presented for inspection by another person.

A further 180 continuous days (without any breaches) will be the minimum period before the new restricted driving period can be completed.

The CEO will notify you in writing that you have breached the Scheme and you will be required to attend AAT conducted by the Mental Health Commission. The completion of the AAT is a requirement to exit the Scheme.

### NOTE:

**Failure to present the interlocked vehicle for a scheduled inspection will result in the interlock permanently locking the vehicle ignition preventing it from being started seven (7) days after the scheduled inspection date. If you fail to present the vehicle you will be required to attend in person for every future inspection whilst participating in the Scheme.**

In the event of permanent lockout an override code must be purchased from your accredited service provider to unlock the vehicle ignition and the vehicle must be presented for an inspection within a limited time determined by the service provider. If the vehicle is not presented within the specified time frame it will re-enter the permanent lock out mode.

## Invalid WA Driver's Licence

If your driver's licence expires or is suspended whilst participating in the WA Alcohol Interlock Scheme, then you have breached a requirement of the Scheme. The current restricted driving period will be terminated and a new restricted driving period will commence from the date you have a valid driver's licence.

A further 180 continuous days (without any breaches) will be the minimum period before the new restricted driving period can be completed.

The CEO will notify you in writing that you have breached the Scheme.

### NOTE:

**If you are a permanently disqualified driver with an extraordinary licence, the requirement to complete one or more restricted driving periods totalling in aggregate at least three (3) years, will restart if your licence is suspended for any reason.**

## Relevant vehicle

An approved alcohol interlock must be installed by an accredited service provider under an interlock contract in a vehicle nominated by you. This may be a vehicle you own, or a vehicle somebody else owns if you have their consent. This vehicle is known as the 'relevant vehicle' for purposes of the Scheme. If you cease to have a relevant vehicle then you have breached a requirement of the Scheme.

The current restricted driving period will be terminated and a new restricted driving period will commence from the date you have an approved alcohol interlock installed in another relevant vehicle by an accredited service provider.

A further 180 continuous days (without any breaches) will be the minimum period before the new restricted driving period can be completed.

The CEO will notify you in writing that you have breached the Scheme.

## 10. ALCOHOL ASSESSMENT AND TREATMENT

You will be notified in writing by the CEO if you are required to participate in AAT. The completion of AAT is a requirement to exit the WA Alcohol Interlock Scheme.

AAT is delivered by the Mental Health Commission WA and consists of six individually focused therapeutic intervention sessions. The sessions are delivered by trained alcohol and drug counsellors from an approved alcohol and other drug treatment agency.

At the successful completion of the six sessions, you will be given a Certificate of Compliance. Your counsellor will advise the Department of Transport that you have participated in the required sessions.

These sessions will be free of charge.

Bookings can be made by contacting the **Mental Health Commission Alcohol Interlock Scheme Booking Service on 1800 722 362 between 7.00 am and 7.00 pm, seven days a week.**

## 11. TERMINATION FROM THE WA ALCOHOL INTERLOCK SCHEME

An interlock-restricted driver will have their participation in the WA Alcohol Interlock Scheme terminated if:

- the driver is convicted of a further alcohol interlock offence; or
- the driver's licence is cancelled in any other circumstances.

A driver may participate in the Scheme again when they are subsequently granted a driver's licence with an interlock condition.

## 12. REMOVAL OF APPROVED ALCOHOL INTERLOCK FROM A RELEVANT VEHICLE

It is a requirement of the WA Alcohol Interlock Scheme that an approved alcohol interlock is installed in a relevant vehicle under an interlock contract with an accredited service provider. If the interlock is removed from the vehicle prior to completing the Scheme, the current restricted driving period will terminate and a new restricted driving period will commence from the date you have an approved alcohol interlock installed in a relevant vehicle by an accredited service provider.

### Relevant vehicle replaced with another vehicle

If a relevant vehicle is replaced with another vehicle for any reason, the interlock must be removed and reinstalled in the replacement vehicle on the same day. If the approved interlock isn't reinstalled on the same day this is a breach of the requirements of the Scheme. A further 180 continuous days (without any breaches) will be the minimum period before the new restricted driving period can be completed.

## 13. SERVICING OR REPAIR OF A RELEVANT VEHICLE

If the power supply to the approved alcohol interlock is disconnected, the interlock will record this as a tampering event which will result in you breaching a requirement of the WA Alcohol Interlock Scheme.

If your relevant vehicle requires servicing or repair, you must inform the mechanic or repairer that the vehicle is fitted with an interlock prior to any work being performed.

When the interlock is installed in your vehicle, the accredited service provider will place a warning sticker in the engine bay advising that the accredited service provider must be contacted prior to any service or repair being undertaken, that may result in power to the interlock being disconnected.

## 14. APPROVED ALCOHOL INTERLOCK MALFUNCTION

If the approved alcohol interlock malfunctions or fails in anyway, the interlock will issue an alert that the interlock requires servicing. You must attend at your accredited service provider within seven (7) days to have the interlock examined.

If you fail to attend within seven (7) days the interlock will enter the permanent lockout mode and the vehicle will not be able to be started.

To unlock the vehicle ignition, an override code must be purchased from your accredited service provider and the vehicle must be presented for an inspection within a limited time determined by the service provider. If the vehicle is not presented within the specified time frame it will re-enter the permanent lock out mode.

## 15. COMPLETING THE WA ALCOHOL INTERLOCK SCHEME

Participants in the WA Alcohol Interlock Scheme can only exit the Scheme when they have demonstrated the separation of drinking and driving behaviour.

The following criteria must be satisfied:

- Completed the minimum participation period (see section 7).
- Any period of disqualification has ended (if applicable).
- Complied with any requirement to attend Alcohol Assessment and Treatment (see section 10).
- Demonstrated the separation of drinking and driving for a continuous period of 180 days (no breach events recorded).

Demonstrating the separation of drinking and driving can only be completed immediately prior to exiting the Scheme. The periods are as follows:

- Permanently disqualified alcohol offenders granted an extraordinary licence – in the last 180 days of the 3 year restricted driving period.
- Disqualified alcohol offenders granted an extraordinary licence – in the last 180 days the extraordinary licence was granted.
- Driver's licence holders (not previously granted an extraordinary licence) – a continuous 180 days immediately after being granted their driver's licence.

### NOTE:

**Unless permanently disqualified an interlock-restricted driver cannot complete the scheme whilst on an extraordinary licence. Upon the disqualification period ending the participant must immediately (within one (1) day) obtain an ordinary driver's licence prior to exiting the scheme.**

Upon being satisfied that the above criteria have been met, the CEO will:

- Remove the interlock condition from your driver's licence;
- Remove the alcohol offender status from driver's licence register; and
- Notify you in writing of the successful completion of the WA Alcohol Interlock Scheme and that you may have the approved alcohol interlock removed from your vehicle by an accredited service provider.

### NOTE:

**If you are convicted of a subsequent alcohol interlock offence you will be required to complete the Scheme again.**

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