

Bill: HB1875 Amendment Number: H1 Bill Subtitle: TO AMEND THE LAW CONCERNING THE USE OF AN IGNITION INTERLOCK DEVICE; AND TO PROVIDE FOR THE EXTENSION OF THE MANDATORY PERIOD FOR THE USE OF AN IGNITION INTERLOCK DEVICE.

Sponsors:

Reps. Tosh, Barnes, Beaty, Beck, Bentley, Breaux, R. Burkes, Joey Carr, Crawford, Duffield, Eaves, Gazaway, Henley, Holcomb, Hollowell, Jean, Ladyman, Lundstrum, Maddox, McAlindon, McElroy, McGruder, Milligan, J. Moore, Pearce, Perry, Puryear, Rye, Schulz, Walker, and Wooten

Sen. Crowell

Basic Change:

HB1875-H1 (engrossed 4/2/25) modifies current law regarding the use of an ignition interlock device by a person who has been arrested for operating or being in physical control of a motor vehicle or motorboat while intoxicated. Ignition interlock devices are installed in a motor vehicle and verify that the vehicle operator's blood alcohol level is below a certain level before the vehicle will start. HB1875 requires that the interlock device:

- Be calibrated to prevent the vehicle from being started if the operator's blood alcohol level is 0.025% or greater. Currently, the Office of Driver Services determines the calibration setting between 0.02% and 0.05%:
- Randomly retest the blood alcohol level of the driver of the vehicle while the vehicle engine is running;
- Be capable of capturing and storing the results of each blood alcohol test; and
- Be capable of capturing and storing a digital image of the person at the time of each blood alcohol test.

HB1875 provides for an extension of the period for which an interlock device is required if, during the final 60 days of the required use of the interlock device, or during an extension of the original period, the person:

- Attempts to start the vehicle while having a blood alcohol level of more than 0.025%;
- Fails to take a random retest while the vehicle's engine is running;
- Takes a random retest while the vehicle engine is running and has a blood alcohol level of more than 0.025%; or
- Fails to have the ignition interlock device serviced and monitored as required by law.

HB1875 provides that when a person completes the interlock period, the person must request the interlock device provider to certify that the person has not had any violations of the interlock requirements. If the provider finds that no violations have occurred, the provider shall issue a certificate of compliance that must be provided to the Office of Driver Services requesting authorization to remove the device. If the device provider indicates that violations have occurred, the person may:

- Accept the extension of the interlock device requirement; or
- Request reconsideration of the device provider's findings.



State of Arkansas Department of Finance and Administration Fiscal Impact Statement

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If the device provider confirms violations, the period for which the device is required to be used by the person shall be extended for 60 days. If the provider confirms violations, the person may demand that the device be removed from the vehicle and the device provider shall notify the Office of Driver Services of its removal.

HB1875 is effective on and after July 1, 2026.

Fiscal Impact:

None.

Taxpayer Impact:

This bill mandates a 60-day extension for violations related to DWI interlock devices upon the conclusion of the originally-imposed period.

Resources Required:

None.

Time Required:

Adequate time is provided for implementation.

Procedural Changes:

Updates will be required to the Office of Motor Vehicle (OMV) manual and the DFA website. Training and review sessions will be conducted for State Revenue Office, Office of Driver Services, and Office of Motor Vehicle employees and staff. Notification will also be provided to the taxpayer community.

Other Comments:

None.

Legal Analysis:

None.