



**Senate Judiciary Committee**  
**Kansas State Legislature, Senate**  
**H.B. No. 2377, amends law related to driving under the influence (DUI)**

**March 24, 2021**

Chairman Warren, Vice Chair Wilborn, and distinguished members of the Judiciary Committee:

On behalf of the Coalition of Ignition Interlock Manufacturers, I want to thank this committee for the opportunity to provide testimony for HB 2377. The Coalition of Ignition Interlock Manufacturers (CIIM) is composed of the nation's leading companies that manufacture ignition interlock devices that prohibit impaired persons from starting their vehicle. Our shared goal is to provide state administrators, courts, and policy makers the tools necessary to keep our roads and highways safe from drunk drivers.

My name is Debra Coffey, I am here representing the Coalition of Ignition Interlock Manufacturers. First, thank you for the opportunity to provide comment on the important work the DUI Advisory Committee has undertaken to make enhancements to the current DUI laws and the Kansas Ignition Interlock Program. The Coalition is in favor of most of the recommendations by the DUI Advisory Committee and had the opportunity the last two years to participate as an observer during the meetings. Last year, the Coalition made recommendations to this Judiciary Committee and a few of those were adopted by the DUI Advisory Committee and are part of HB 2377. We agree with the committee's recommendation on removing route restrictions, providing DUI offenders immediate access to driving privileges if they are interlocked and including a Compliance Based Removal program so offenders prove sobriety to drive before they are given back their full driving privileges. All these additions, in my opinion, will make Kansas a model for Best Practices for Ignition Interlock Programs.

On behalf of the Coalition of Ignition Interlock Manufacturers and supported by Best Practices on Ignition Interlock Programs throughout the United States we make the following recommendations regarding the section on reduced ignition interlock program costs.

We agree with the recommendation to **improve and expand the indigent program in Kansas, providing for transparency and access**. We agree that the Indigent Program should have an easy and quick path to eligibility, be accessible to anyone qualified and not require additional workload or employees.

When financial hardship is cited by DUI offenders as a reason for avoiding an interlock when the opportunity is presented, we agree of the importance to provide cost offset for true eligible indigent offenders. To do so, there is a need to establish an objective criterion to determine indigent status, so eligibility can be administered fairly. The current bill has established that eligibility criteria, based on income and whether the person currently receives federal or state assistance.

The current proposal in the bill for the indigent program was selected from California and grants indigent status to people earning up to 300% of the Federal Poverty line. We do not believe legislation in Kansas should mirror that of California, where the cost of living is much higher.

When I look at this proposal and then compare it with the average household income in Kansas of \$62,087, this proposal suggests average households in Kansas are indigent. I am not sure that is what the Legislature intends to convey with this bill.

**We recommend** that Kansas use a standard of 150% of the Federal Poverty line as a determinant for eligibility for the indigent program. Why does the Coalition recommend 150% of the Federal Poverty level? This is the standard most states use for eligibility purposes for Interlock Indigent programs. Under our proposal, a family of four with income below \$39,750 *would qualify* for 50% discounts on their IID device, along with free installation and removal of the device. Fifty percent would require the offender to pay, \$1.38 a day or \$41.50 a month, with our recommendation to fully waive the Install and Removal fees.

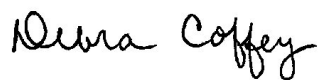
We believe that it is important that our customers have ownership in the program toward their success; 50% off the monthly lease cost of the device, provides them with some accountability of the equipment and program, while also allowing our small Kansas business contract shops to stay in business.

When reviewing the number of Installed interlocks in Kansas, provided by the Kansas Ignition Interlock Program Administrator, comparing that to the number of DUI Arrests in Kansas. Kansas has one of the highest Interlock Installation and penetration rates in the entire United States. It is rated at 100%. We took exception with the committee's comment that offenders were not installing interlocks because they could not afford the interlock device. We believe these numbers show that offenders are installing interlocks in Kansas and that affordability is not an excuse Kansas offenders use, not to install.

Thank you for the opportunity to testify. We appreciate the dedication of the DUI Advisory Committee and the Legislature to improve the ignition interlock program in Kansas. We stand ready to provide any support, assistance or technical information regarding interlocks and the Interlock program in Kansas. We respectfully request participating in conversations regarding best practices on Ignition Interlock programs and believe we have a broad range of resources to add to the conversation and discussions.

We would appreciate your consideration to amend HB 2377, to include these recommendations on the affordability program.

Respectfully submitted,



Debra Coffey

On behalf of the Coalition of Ignition Interlock Manufacturers  
Director, Coalition of Ignition Interlock Manufacturers

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ATTACHMENT: (1) Scalable Fee Schedule Ignition Interlock

FOOTNOTE:

Group 1: 100% of poverty level; 75% paid by interlock companies; 25% by offender.

Income: Up to \$12,880 – individual  
Up to \$ 26,500 – Family of 4

Group 2: 101-150% of poverty level; 50% paid by interlock companies; 50% by offender.

Income: Up to \$19,320 - individual  
Up to \$39,750 – Family of 4

Group 3: 150-200% of poverty level; 75% paid by interlock companies; 25% by offender.

Income: Up to \$25,760 – individual  
Up to \$53,000 – family of 4

Group 4: 201-300% of poverty level; 10% paid by interlock companies; 90% by offender.

Income: Up to \$38,640 – individual  
Up to \$79,500 – Family of 4