

## **Reduced Suspension with Ignition Interlock Questions and Answers re Procedures**

**1. If I already have a trial date set, how do I find out if the Crown Attorney will agree to the minimum suspension period and minimum absolute prohibition period before eligibility?**

- Contact the Crown Attorneys' office or attend at the Courthouse to make an appointment to speak to a Crown Attorney.**
- If you have counsel, your counsel can contact the Crown Attorney.**
- If you do not have counsel, duty counsel are available in every courthouse to advise you.**

**2. If I already have a trial date set, how do I bring my case forward and what days are available?**

- Courts Administration staff at your courthouse will advise you of the procedure for bringing a case forward and the days available. You may need the consent of the Crown Attorney to do so.**
- You, or your lawyer, may receive a letter from the Crown Attorney's office in the jurisdiction where**

**you are charged advising that you may be eligible for the program and explaining how to commence the process to bring the case forward from the trial date.**

**3. Will I have to appear more than once in court to complete what is required to be able to participate in the program? If so, how many times will I have to appear?**

- **Assuming you are familiar with the charges against you and you are satisfied of your eligibility for the program, you can appear in court on as little as one occasion to plead guilty, be convicted, sentenced and prohibited from driving. That is all that is required to be done in court.**
- **If you have not retained counsel, duty counsel are available in every courthouse to advise you of your options.**

**4. Once I decide to plead guilty how many court appearances will be required until I am able to participate in the program?**

- **Assuming you are familiar with the charges against you and you are satisfied of your eligibility for the program, you can complete your matter in court in as little as one court appearance.**
- **If your offence date is on or after August 3, 2010, you can enter your guilty plea, be convicted, sentenced and prohibited from driving in one court appearance.**
- **If your offence date predates the program, you can enter your guilty plea before August 3, 2010 and adjourn conviction and sentencing to one additional court appearance between August 3 and November 1, 2010.**

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**\*\*If you have additional questions about court processes in relation to the new ignition interlock program, please contact your local Crown Attorney's Office or the Courts Administration Office at your local courthouse. General information about court processes, as well as courthouse addresses and phone numbers, may be found in the Justice Ontario section of the Ministry of the Attorney General website:**

**<http://www.attorneygeneral.jus.gov.on.ca/>**

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**5. If I do not yet have a trial date, how long do I have to decide whether I want to plead guilty?**

- If you want to get into Stream A, you have to plead guilty and be sentenced and convicted within 90 days of the offence date, if the offence date is on or after August 3, 2010).**
- If your offence date predates August 3, 2010, you must plead guilty and be convicted and sentenced within 90 days of August 3, 2010 (until November 1, 2010). You can plead guilty at any time but the conviction must be on or after August 3, 2010 and no later than November 1, 2010.**

- **If you have not retained counsel, duty counsel are available in every courthouse to advise you of your options.**

**6. Can I extend the timeframe?**

**No.**

**7. If the judge does not increase the minimum period before which I am eligible, do I have to contact the MTO or do they contact me?**

- **You do not have to contact MTO. Once the conviction and sentence are registered, the court order data will be transmitted electronically to MTO.**
- **Drivers who are eligible for the Reduced Suspension with Ignition Interlock Conduct Review Program (the "Program") will receive an individualized information package from MTO with information on how to meet the requirements for entry into the Program in one of two streams. The package will include application instructions, identify the mandatory periods of suspension and**

**interlock installation, and timelines that must be met to enter the Program.**

**8. How do I get the assessment, where do I have to go, what is involved in it and how much does it cost?**

- **There are three components to the remedial measures program, also known as Back on Track which is run by the Centre for Addiction and Mental Health.**
  - **Assessment**
  - **Education or Treatment program**
  - **Follow up interview.**
- **You must complete the assessment component of the required "Back on Track" remedial measures program during the period of your minimum absolute prohibition for entry into Stream "A". The assessment component determines the extent of the drinking and driving problem and whether an education or treatment program is the most appropriate intervention.**
- **Contact information will be included in the package that will be sent to you by MTO. The cost**

**of the entire remedial measures program for convicted impaired drivers is \$578. Participants must pay this fee to register for the program. The cost is not broken down by program component (assessment, alcohol education or treatment, follow-up).**

- **All three components of the remedial measures program have to be completed before offenders can exit the new interlock program with full licence reinstatement.**
- **There is a link to the Back on Track Program on MTO's website. You can register for the program online.**

**9. How long does it take to schedule an assessment?**

- **The local provider will provide an assessment within 30 calendar days of the participants request to the local provider.**
- **It is recommended that drivers register for the remedial measures program and request the assessment immediately after being notified of their eligibility, to ensure they can complete this requirement within the timeframe required for entry into Stream “A” (i.e. the term of their minimum absolute prohibition period).**

**10. How does MTO become aware of the results of my assessment? Do I have to do anything?**

- **CAMH will notify MTO electronically of the results of your assessment.**

**11. Do I have to do anything other than the assessment before I can install a device in my car?**

- **You must also establish proof of a lease agreement for an approved ignition interlock device. The information package from MTO will provide you**

- with contact information for the interlock service provider.**
- **Also, before you can enter the Program, you must pay all outstanding fees, and all other active suspensions must have expired.**

**12. What is involved in entering into a lease agreement with the interlock provider? Is there any money to be paid at this point?**

- **The information package from MTO will provide you with contact information for the approved interlock service provider**
- **The offender must contact Guardian Interlock Systems to enrol prior to the expiry of the minimum absolute prohibition period to enter the program in Stream “A”. Eligible offenders have to pay \$150, at the time of enrolment, for the cost of installation.**
- **The service provider will notify MTO electronically when you have successfully enrolled.**

**13. Once I am approved, how do I get the device? Is there any charge?**

- In addition to the deposit paid at the time of lease agreement, eligible offenders pay \$105 dollars monthly, in advance, starting at their installation appointment. This covers the next month's monitoring cost.**

**The costs are as follows:**

**Installation: \$150.00 + taxes @ 13% = \$169.50**

**Removal: \$50.00 + taxes @ 13% = \$56.50**

**Monitoring: \$105.00 per month + taxes @ 13% = \$118.65**

**Insurance: the driver may choose either of the following options in regards to insurance on the device:**

**\$10 for each 30 days, which is NON-refundable**

**OR**

**\$250 security deposit up front at installation returned upon removal if the device is in working condition (no defects).**

**14. How long does the installation take?**

- **Under general circumstances, the timeframe for the installation of the interlock device is two to three hours; however, for specialized vehicles (commercial vehicles, exotic vehicles, etc.) the timeframe could be longer.**

**15. Once approved, am I guaranteed I will get a device (are there going to be enough available)?**

- **The service provider, Guardian, has prepared for the anticipated growth in demand for these devices and is ready to accommodate increased volumes.**
- **Service centres are continually monitored by Guardian and, when the numbers warrant, consideration is given to the opening of additional service centres.**

**16. Once approved, can I drive the car to the service provider for the purpose of having the device installed or does someone else have to drive the car there?**

- **Your licence will be re-instated with an ignition interlock licence condition so you cannot drive**

**legally without an approved device installed in the vehicle you are driving. Therefore, you must get someone else to drive the car to the service centre to have the device installed.**

**17. What happens if I am unable to complete the assessment and provide proof of interlock lease agreement within the period of my absolute prohibition?**

**Can I get an extension?**

- **You cannot get an extension. Individual circumstances will not be taken into account in this regard. If a driver that is eligible for Stream “A” does not complete the assessment and sign-up for interlock prior to the expiry of the minimum absolute prohibition period, the driver will no longer be eligible for stream “A” but will remain eligible to enter the program in stream “B”.**

**18. Can the device be installed on a motorcycle or a snowmobile?**

- **No**

**19. Can MTO revoke my ability to use the interlock device? If so, what would that involve?**

- **MTO can revoke your ability to drive with an interlock device if you commit any of the following violations:**
  - **Failure to install an approved ignition interlock device within 30 days of licence reinstatement**
  - **Tampering with the device or de-installation without authorization**
  - **Driving a vehicle that is not equipped with an approved ignition interlock device**
  - **Missed appointment with the approved ignition interlock service provider**
  - **Suspension for another CCC driving offence**
  - **Roadside suspension for BAC  $\geq 0.05$**
  - **90 day Administrative Driver's Licence Suspension for BAC  $> 0.08$  & failure/refusal to provide a breath or blood sample**

- **Violations during the ignition interlock installation period will result in removal from the program and re-suspension. Offenders become subject to current HTA sanctions but are given credit for the period of suspension they have already served.**