



Garden State CLE  
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## Video Course Evaluation Form

Attorney Name \_\_\_\_\_

Atty ID number for Pennsylvania: \_\_\_\_\_

Name of Course You Just Watched \_\_\_\_\_

### Please Circle the Appropriate Answer

Instructors:      Poor              Satisfactory              Good              Excellent

Materials:        Poor              Satisfactory              Good              Excellent

CLE Rating:      Poor              Satisfactory              Good              Excellent

**Required:** When you hear the bell sound, write down the secret word that appears on your screen on this form.

Word #1 was: \_\_\_\_\_ Word #2 was: \_\_\_\_\_

Word #3 was: \_\_\_\_\_ Word #4 was: \_\_\_\_\_

What did you like most about the seminar?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What criticisms, if any, do you have?

\_\_\_\_\_  
\_\_\_\_\_

I Certify that I watched, in its entirety, the above-listed CLE Course

Signature \_\_\_\_\_ Date \_\_\_\_\_

# **GARDEN STATE CLE LESSON PLAN**

A 1.0 CLE CREDIT COURSE

## **FREE DOWNLOAD LESSON PLAN AND EVALUTION**

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## **IGNITION INTERLOCK DEVICE**

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**WITH**

**JASON GOOBERMAN  
IGNITION INTERLOCK DEVICE EXPERT**

**AND FEATURING**

**ROBERT RAMSEY, SENIOR INSTRUCTOR**

### Program Description

A critical part of every drunk driving and refusal case relates to the ignition interlock device. The cost can be staggering and the obligation to the defendant and his innocent family can go on for years. Get all the facts in this info-packed CLE.

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## **I. INTRODUCTION**

## **II. ALL CONVICTED OF DWI OR REFUSAL ARE SUBJECT TO INSTALLATION OF THE IGNITION INTERLOCK DEVICE PER N.J.S.A. 39:4-50.17 (a)(1) (effective date: January, 2010)**

- First offenders with < .15 BAC
- Mandatory for > .15 BAC
- Congress is considering legislation to offer incentives to the states that lower the level to .08 for interlock device
- Without BAC results, the court cannot order the Device
- Installation can be ordered to be installed for 6 months to 1 year beginning immediately and for another 6 months to 1 year AFTER restoration of driving privileges
- Order will include that the offender is not permitted to drive any vehicle in NJ without the Device. This could include a commercial vehicle.
- Second and Third Offenders are subject to tiered periods of installation up to 10 years while suspended on a third or subsequent, and approximately 3 years thereafter

### **III. VEHICLE “PRINCIPALLY OPERATED”**

- N.J.S.A. 39:4-50.18 and .19

“Owned, leased or regularly operated by the defendant” was changed to “principally operated” in the amendment to the law, but there are vestiges from the prior law that have not yet caught up with the current law

- Devices are alcohol specific, not for drug users
- If a second or third offense, will the Court order the installation of the Device if no alcohol was involved? Yes, it has the discretion on a first offense even if you only allowed the use of your vehicle to one under the influence of drugs or other “non alcohol” offense. It is mandatory after any subsequent offense

### **IV. THE EFFECT ON THE FAMILY**

- Example: a two year suspension and unable to drive but the family drives the car and needs to blow into the Device

## V. INSTALLATION AND USE OF THE DEVICE

- a. Before restoration of driving privilege
- b. Get trained in the use of the device
- c. His company uses the Draeger Interlock XT
- d. Handset with a helix cable is visible, the interlock device is under the dash and connected to the automobile.
- e. Blow is required into the sanitary mouthpiece at the time of ignition key turn
- f. Breath sample is analyzed, if alcohol detected, an hour is required to pass before new use of the vehicle/Device
- g. If operation is permitted, a retest will be required periodically
- h. If alcohol is detected, the horn blares and there is an annoyingly loud sound in the vehicle. After you pull over, a one hour lockout occurs for a new test.

- i. Cost: Rental fee scales vary but run between \$75 and \$120 per month for the term that the device is installed in the vehicle (period of years), plus installation, service, calibration and recalibration, and removal costs. There is a 50% reduction in cost is available to those below the poverty line. N.J.S.A. 39:4-50.17(a)
- j. Data is collected in the vehicle, uploaded to the computer of the installer and transferred to the manufacturer in order to advise NHTSA of compliance with the program.
- k. BAC levels are PASS/FAIL as expressed to the customer in the vehicle. But the BAC is actually recorded in the device and uploaded to the installer and manufacturer. The levels are not used for prosecution at this time.
- l. The installer is required to report tampering to the local authorities. A statute makes tampering a disorderly person's offense. N.J.S.A. 39:5-50.19(b)(2)
- m. This applies to vehicles from other states too as to the restoration of driving privileges. The restored license has a line stating "interlock device" and the removal date.