

MONITORING DEVICE DRIVING PERMIT

Effective January 1, 2009, a first-time DUI offender who wishes to obtain and is eligible for driving relief during the period of statutory summary suspension must apply for a Monitoring Device Driving Permit (MDDP), which requires a Breath Alcohol Ignition Interlock Device (BAIID) to be installed on his/her vehicle during the suspension period. If you are a first-time DUI offender in Illinois, you may be eligible to apply for an MDDP during your suspension period. An MDDP will allow you to drive anywhere, at anytime as long as you are driving a vehicle installed with a BAIID. The Secretary of State's office will monitor the BAIID throughout the duration of the permit.

You may choose not to petition for an MDDP and you may opt out of the program at any time. However, if you choose not to participate in the program and you are subsequently caught driving a vehicle during the suspension period, you will be guilty of a Class 4 felony. Additionally, if you participate in the BAIID program and you are subsequently caught driving a vehicle without a BAIID device installed, you also will be guilty of a Class 4 felony. Penalties include possible imprisonment of 1-3 years, a minimum of 30 days in jail or 300 hours of community service, and fines of up to \$25,000.

MDDP Facts

- A driver under age 18 is not eligible for an MDDP.
- A first-time offender is a driver who has not received a previous statutory summary suspension, has not been convicted of DUI or assigned court supervision for DUI in Illinois, or has not been convicted of DUI in another state within five years.
- An MDDP is not effective until the 31st day of the suspension.
- An offender is ineligible for an MDDP if his/her driver's license is otherwise invalid; if death or great bodily harm resulted from the DUI arrest; or if he/she has previously been convicted of reckless homicide or aggravated DUI that resulted in a death.
- A commercial driver's license holder may be eligible for an MDDP for driving noncommercial vehicles if he/she is a first offender; however, an offender may not operate a commercial vehicle.

BAIID Facts

- A BAIID uses advanced technology to read a driver's blood-alcohol content (BAC) before allowing the vehicle to be started. It is installed in the ignition of a vehicle and prevents the offender from starting the car if his/her breath sample registers a BAC of .025 or more. If the breath sample is negative for alcohol, the vehicle will start without incident.
- The BAIID requires an initial blow to start the vehicle and at random intervals throughout the trip.
- Anyone driving the vehicle must use the BAIID. The MDDP holder is responsible for all actions recorded on the device.
- The Secretary of State's office downloads information from the BAIID every 60 days. If a violation(s) is detected, the offender will receive a letter from the Secretary of State's office requesting an explanation of the violation(s). If the offender does not respond to this request or the explanation is insufficient, the suspension may be extended for an additional three months per violation and/or the MDDP may be cancelled. Three extensions per violation may result in the car being impounded for a period of at least 30 days. If five violations are detected, the office will recall the BAIID for early monitoring.
- Four extensions per violation may result in the car being seized/forfeited.
- An offender is responsible for all costs associated with installation and monitoring of a BAIID (unless determined indigent by the courts).
 - Installation: approximately \$85 (paid to vendor)
 - Monthly BAIID rental: approximately \$80 a month (paid to vendor)
 - Monthly monitoring fees: \$30 a month payable up front (non-refundable, paid to Secretary of State prior to MDDP issuance)

Obtaining an MDDP

- You must inform the court of your wishes to apply for an MDDP and complete your portion of the court order to be forwarded to the Secretary of State's office.
- After a complete review of the court order, the Secretary of State's office will notify you of required fees and issue the MDDP.
- Once the MDDP is issued, you have 14 days to have a BAIID installed on all vehicles you wish to drive during the suspension period. It is your responsibility to contact an approved vendor.
- You are responsible for all fees associated with the MDDP, including monitoring fees paid to the Secretary of State and BAIID fees paid to the vendor (those proclaimed indigent by the courts will have some vendor fees waived).
- If you need to drive an employer-owned vehicle(s) during work hours and the vehicle is not specifically assigned to you, you may be eligible for a work exemption. To verify eligibility, you must provide your employer's name, address and telephone number to the court.
- Work exemptions are not granted if you are self-employed or work for a business owned by a family member.

For more information on the MDDP or BAIID, please visit www.cyberdriveillinois.com (click BAIID Program) or call 217-524-0660.