



Ignition Interlock Device (IID) Program Provisions

Instructions: Ignition Interlock Device (IID) Vendors/Service Providers must complete this agreement every 3 years after initial on-boarding. Upload completed agreements to the [RMV's Community Portal](#).

Business Information

Legal Business Name _____ FEIN _____

DBA Name _____

Physical Address _____

Mailing Address _____

Business Contact Information

Name _____ Title _____

Phone _____ Email Address _____

Vendor/Service Provider Requirements

Device Standards

1. All Ignition Interlock devices and performance specifications must adhere to the most recent NHTSA Model Specifications for Breath Alcohol Ignition Interlock Devices. Additional requirements are included below:

- (a) The State alcohol concentration start-up set point must be configured on all Massachusetts Interlock operators' IID devices.
- (b) The minimum required breath sampling size is 1.2 liters with the Ignition Interlock Device's conformance tested set at a volume of 1.2 liters in accordance with NHTSA model specifications indicated above.
- (c) The IIDs should be capable of maintaining a stable calibration for the requisite service period plus seven (7) day grace period (lock-out countdown).
- (d) The device must automatically eliminate alcohol in the alcohol sensor before allowing subsequent breath alcohol analyses.
- (e) An approved Ignition Interlock device can include a removable sensing head.
- (f) If an alcohol level above the state alcohol concentration start-up point is detected during a Startup test, the device immediately preceding that failed breath sample will accept unlimited samples within a ten (10) minute retest timeframe. This ten (10) minute timeframe will include the device reset between breath samples. If during that ten (10) minute period there are other failed startups it will not trigger a lockout. If after the ten (10) minute period has expired and the operator fails another startup than it will register as a lockout.
- (g) After passing an initial Startup test, the device shall require the first rolling retest within ten (10) minutes of the car being in motion. The driver shall have five (5) minutes to take and pass the rolling retest. Second and subsequent rolling retests are required at random intervals between fifteen (15) and forty-five (45) minutes from the conclusion of the previous rolling retest for the duration of travel.

- (h) A failed startup test, rolling re-test, missed rolling re-test and lockout will prompt the device to produce an Led light and/or audible indication to notify the driver of the fail, miss or lockout. The indicator will not include the use of the vehicle's horn. The indicator shall be modified as necessary to accommodate operators who are hearing impaired.
- (i) Results of a start-up or rolling re-test shall be noted through the display of pass or fail on the device.
- (j) The hand held piece of the device must include a violation warning label approved by the Massachusetts Registry of Motor Vehicles that says:
 - Warning! Tampering with or attempting to circumvent this device shall be punished by License Revocation and/or Imprisonment.
 - Warning! Any attempt to blow into this device in an attempt to start the vehicle for the Restricted Operator shall be punished by a Fine or Imprisonment.
- (k) Shall record any attempt to operate the vehicle without first taking a breath test, such as the use of an electrical bypass or coasting downhill.

2. In addition to the standards and specifications listed herein, the Massachusetts Registry of Motor Vehicles may impose additional conditions, as needed, depending upon design and functional changes in device technology and to ensure that the device functions properly and reliably.

3. A manufacturer independent and accredited laboratory must certify that the Ignition Interlock Device meets all of the most current NHTSA Model Specifications for BAIIDS. Costs charged by independent testing laboratories and all other costs of obtaining the Massachusetts Registry of Motor Vehicles approval of a device shall be paid by the applicant.

4. Any add-on or specialized firmware to meet the needs of a specific customer shall be approved by the Massachusetts Registry of Motor Vehicles.

Device Modifications

1. The vendor shall inform the Massachusetts Registry of Motor Vehicles in writing of any modifications to the certified and approved IID device. The notification shall include, but not be limited to, a listing of those modifications that were made, addition or reduction in features, software version changes, configuration profile changes or alteration in the components and/or the design of the certified ignition interlock device and any additional alterations.

2. Each of these changes should also include a narrative explaining how the modifications or alterations will affect the accuracy, reliability, ease of use, or general function of the IID. Along with the notifications the vendor will be required to re-certify the device by an independent laboratory and submit documents verifying that it meets all NHTSA requirements established in these guidelines. All device certifications must be submitted to the Registry of Motor Vehicle's Driver Control Unit department.

Suspension or Revocation of Approval of a Device

1. Suspension of Approval of a Device

- (a) The Massachusetts Registry of Motor Vehicles may suspend approval of a device, and temporarily remove it from the list of approved devices, for any of the following reasons:
 - i. Termination or cancellation of an authorized service provider's liability insurance;
 - ii. Voluntary request by a Vendor to suspend approval of a device;
- (b) A suspension shall last for at least ninety (90) days after the final decision of the Massachusetts Registry of Motor Vehicles, whichever comes last. A device that has been suspended may have to follow the procedures of 540 CMR 25:00 to become re-approved.
- (c) The Massachusetts Registry of Motor Vehicles may impose additional requirements to ensure the safety of the public for a suspended device to be approved. Actions that have the effect of jeopardizing public safety by the authorized service provider and/or their installers may result in a longer suspension, not to exceed one (1) year.

2. Revocation of Approval of a Device

- (a) The Massachusetts Registry of Motor Vehicles may revoke approval of a device, and remove it from the list of approved devices, for any of the following reasons:

- i. Defects in design, materials, or workmanship causing repeated failures of a device;
 - ii. Discontinuance in the business of manufacturing devices;
 - iii. Voluntary request by an authorized service provider to revoke approval of a device;
 - iv. Modification or alteration of the components, design, installation, and operation of the Ignition interlock device;
- (b) A revocation shall last for at least one (1) year after the final decision of the Massachusetts Registry of Motor Vehicles, whichever comes last. After that time a Vendor will have the opportunity to recertify. The MA RMV may impose additional requirements to ensure the safety of the public for a revoked device to be approved. Actions that have the effect of jeopardizing public safety by the authorized service provider and/or their installers may result in a longer revocation, not to exceed five (5) years. The Massachusetts Registry of Motor Vehicles will notify a Vendor of a Suspension or Revocation and the necessary steps to re-apply for recertification.

Device Calibration Specifications

1. The device shall be subjected to a calibration confirmation test. This test shall consist of introducing the device to a certified reference standard with a stated alcohol concentration.
2. An ignition interlock device must be calibrated using a wet bath simulator or a dry gas alcohol standard. This must be done in accordance with the most recent NHTSA Model Specifications for Calibrating Units for Breath Alcohol Testers and Conforming Products List of Calibrating Units for Breath Alcohol Testers.
3. The calibration test shall only be performed with a NHTSA approved calibrating unit.
4. The device must pass the accuracy verification test, followed by two additional accuracy verification tests before the device may be placed into service.

Wet bath simulator requirements:

- (a) Be found on the current National Highway Traffic Safety Administration's Confirming Products List for Calibrating Units for breath alcohol testers.
- (b) This simulator shall employ a non-mercury temperature sensor with a digital display.
- (c) The certified water/ethanol standard shall be NIST traceable.
- (d) The five hundred (500) ml bottles containing simulator solution shall be tamper proof and labeled with the following: Lot or batch number, value of the reference sample in g/210L, the expiration date and/or the date of preparation.
- (e) If an installer uses wet bath reference samples to calibrate the ignition interlock devices from a mobile service operation the service provider must:
- (f) Pre-calibrate substitute devices at the fixed site service center and exchange them for the devices needing calibration at the mobile service center.
- (g) The results of any and each calibration including the reference value, "as found" check, accuracy verification tests, shall be recorded on the ignition interlock device data logger and/or database.

Dry gas alcohol standard tank requirements:

- (a) The certified ethanol/nitrogen dry gas alcohol standards shall be NIST Traceable. The IID and/or the PC used for servicing the IID shall compensate for the effects of variances in the barometric pressure.
- (b) Have a label which shall contain the following: Components and concentration of the reference value of the gas in g/210L, expiration date which shall not be longer than three years from the date of preparation, and the lot or batch number.
- (c) Each service center using a dry gas alcohol standard shall have:
 - i. Proper means of compensating for the effects in barometric pressure changes such as automatic elevation based compensation or employment of an absolute pressure sensor in the IID or shop's PC.

- ii. The certificate of analysis from the dry gas standard manufacturer. This can be maintained by the device manufacturer.
- iii. The results of any and each calibration, including the standard's reference value, "as found" check, accuracy verification tests and the barometric pressure reading at the time of the test or elevation at the service location shall be recorded on the ignition interlock device data logger and/or database.

5. A Vendor will have five (5) years from the effective date of this contract, to switch from a wet bath simulator method over to a dry gas alcohol standard. This must be done in accordance with the most recent NHTSA Model Specifications for Calibrating Units for Breath Alcohol Testers and Conforming Products List of Calibrating Units for Breath Alcohol Testers.

Device Installation Procedures

1. The Ignition Interlock Device must be installed by a Massachusetts Registry of Motor Vehicles approved Ignition Interlock Service Provider in accordance with the latest guidelines published by the National Highway Traffic Safety Administration (NHTSA) Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIDS).

2. The service center must be staffed with at least one Massachusetts approved installer available during all Interlock Service posted hours. Have all the necessary equipment and manuals provided by the IID Vendor that is needed to install devices and screen vehicles for acceptable mechanical and electrical conditions.

3. The Vendor's designee is required to train and then observe a successful in-person IID installation, calibration and device removal of all prospective interlock installers.

4. Do not install or transfer an ignition interlock on a vehicle unless the operator has presented valid photo identification.

5. On the day of installation, the Service Provider must provide customer training on device operation. They will also distribute the Massachusetts Interlock Program materials and the Vendor's Device instruction manual. It will include but not limited to information on device usage, material on all products that could prompt a device reading greater than the state approved alcohol concentration start-up point as well as procedures for regular servicing and emergency situations. The Service Provider shall in-person instruct the restricted operator on how to use the device. It is required that the client provides at least two (2) passed breath samples using the proper technique before leaving the establishment. This shall be noted in the Vendor's customer's account log and made available upon request to the Registry of Motor Vehicles.

6. The following steps must be taken to successfully install an IID device:

- (a) Inspect all vehicles prior to installation to determine that mechanical and electrical parts of the vehicle affected by an ignition interlock device are in working condition.
- (b) If determined that mechanical and/or electrical work is required to properly install the ignition interlock device, the operator must be notified of that circumstance. No further action should be taken unless directed by the Operator.

If the vehicle is in good working condition:

- (c) Ensure that no driver or other unauthorized person witnesses the installation or removal of an ignition interlock device.
- (d) Attach a Massachusetts Registry of Motor Vehicles pre-approved custom label onto the hand held piece of the Ignition Interlock Device.
- (e) Appropriately install IIDs on vehicles taking into account accepted trade standards and the device manufacturer's instructions.
- (f) Implement the following anti-tampering measures:
 - i. All connections between a device and the vehicle should not be readily visible by the average consumer.
 - ii. Cover all of the following connections with unique and easily identifiable seal, epoxy, resin, wire, sheathing, or tape.
 - Any wiring between an ignition interlock device and the vehicle.
 - All wires used to install the device that are not inside a secured enclosure.
 - All exposed electrical connections.

- (g) Verify that a device is functioning properly after it has been installed in the vehicle.
- (h) Do not reveal any personal information provided by drivers to any person other than the appropriate authorities or employees of the vendor or service center provider on an as-needed basis.

Device Maintenance

1. The service provider must provide service at all intervals specified in the most current Ignition Interlock Program Regulations including any lockout resets. The following are the specific steps that need to be taken:

- (a) Charge a monthly administrative fee from each ignition interlock user;
- (b) Perform a device calibration in accordance with Massachusetts General Laws, 540 CMR 25:00 regulations and this contract;
- (c) Provide device inspections of all external wiring, insulation, connections, tamper seals, and sheathing for the device and where the device connects to the vehicle;
- (d) If tampering is detected, provide a photo of the interlock device and its connections to the Massachusetts Registry of Motor Vehicles;
- (e) Repair all malfunctions of the ignition interlock device or replace the ignition interlock device within at least forty-eight (48) hours of the service appointment call;
- (f) During Interlock Service posted hours the approved ignition interlock installer or provider shall respond to all service inquiries by phone within two (2) hours of initial contact;
- (g) The assistance provided by the authorized service provider shall include technical information, tow service, road service and/or mobile services. The operator shall be responsible for all service costs not associated with a faulty ignition interlock device.

Insurance Requirement

A. The Massachusetts Approved Vendor and "subcontractors" shall at all times during the Contract term maintain in full force and effect the insurance policies required by this Provision to the Master Agreement. The Vendor annually shall provide to the Massachusetts Registry of Motor Vehicles evidence of the required insurance coverage and upon the Agencies' request shall provide certified true copies of any and all of the policies of insurance.

B. Except as otherwise provided in this Contract, the Vendor shall not commence work under the Contract until the insurance required under the Contract has been obtained, nor permit any subcontractor (s) to perform work under the Contract until the insurance required under the Contract has been obtained.

C. All insurance policies required by this Provision shall:

- i. Provide a certificate of liability insurance, issued by an insurance company rated A or better and authorized to issue such policy or policies in the Commonwealth of Massachusetts;
- ii. Maintain the Vendor as the insured and the State of Massachusetts as an additional insured;
- iii. Include a current effective date;
- iv. Include product liability coverage for defects in manufacture, materials, design, calibration, installation, and operation of the Ignition Interlock device;
- v. Provide that the insurer will be responsible for giving immediate and written notice to the Commonwealth and the Agencies in the event of cancellation of the insurance policy by either the insurance carrier or the Vendor, at least sixty (60) days prior to any such cancellation;
- vi. The Vendor and all subcontractors performing services in the Commonwealth of Massachusetts shall maintain workers' compensation insurance as required by the laws of the Commonwealth. The Vendor also shall include employer's liability coverage with a minimum limit of one million (\$1,000,000) dollars per occurrence;
- vii. The Vendor shall maintain general liability insurance with limits not less than one million (\$1,000,000) dollars per occurrence and two million (\$2,000,000) in aggregate;
- viii. The Vendor shall maintain personal or bodily injury coverage not less than one million (\$1,000,000) dollars per occurrence;

- ix. The Vendor shall maintain comprehensive business automobile liability insurance covering the use of any Motor Vehicle to be used in conjunction with the Contract, including hired automobiles and non-owned automobiles, with the following minimum limit of one million (\$1,000,000) per occurrence.
- x. The Vendor shall maintain property damage insurance with limits not less than three hundred thousand (\$300,000) dollars per occurrence that covers the following:
 - a. all premises and operations;
 - b. products/completed operations;
 - c. independent contractors;
 - d. contractual liability covering oral or written contracts or agreements, including the Contract;
 - e. additional interests of employees;
 - f. extended definition of bodily injury;
 - g. personal injury coverage (hazards A, B, and C) with no exclusions for liability assumed contractually or injury sustained by employees of the Vendor; and
 - h. broad form property damage.

D. The Vendor shall give immediate and written notice to the Massachusetts Registry of Motor Vehicles upon becoming aware of a material modification, by either the insurance carrier or the Vendor, of the insurance policies required by this Provision.

By signing below, you have acknowledged receipt of and agree to comply with the Ignition Interlock Device (IID) Program Provisions.

Authorized Signer Signature

Title

Print Name: _____

Date: _____

Email address: _____

Phone Number: _____