

# LOUISIANA IGNITION INTERLOCK LAW GUIDE Version 1.0 (June 2025)

Louisiana's ignition interlock laws were amended in 2023 and 2024 to bring the state's interlock standards in line with national best practices aligned to reduce DWI recidivism and alcohol related injury/fatality crashes in the state.

**Acts 409 and 462 (2023 Regular Session)** enacted compliance-based removal of interlock devices, defined violations on the device and terms of extension, required an interlock as a condition for all DWI related hardship licenses, lowered penalty enhancement to a BAC 0.15, and created an affordability plan for indigent defendants.

**Act 9 (2024 Second Extraordinary Session)** increased the driver's license suspension time for a 1<sup>st</sup> offense and required that an ignition interlock be installed for the full period of suspension on all offenses.

## **DRIVER'S LICENSE SUSPENSION/IGNITION INTERLOCK TERMS\***

Suspension times/interlock terms are the same pre- and post-conviction unless otherwise noted.

Ignition interlock is required upon license reinstatement for 1<sup>st</sup> offense with a BAC  $\geq 0.15$ , repeat offenses, refusals, and injury or homicide offenses.

<b>Impaired Driving Offense**</b>	<b>Condition of Bond</b>	<b>BAC or Offense</b>	<b>Hardship<sup>+</sup> or Restricted License Suspension &amp; Mandatory Interlock Terms</b>
1st	IID Discretionary	0.08 – 0.149	6 months <sup>++</sup> ; upon conviction 1 year
		$\geq 0.15$	2 years
2nd	IID Required	0.08 – 0.149	1 year; upon conviction 2 years
		$\geq 0.15$	4 years
3rd	IID Required	0.08 – 0.149	1 year; upon conviction 3 years
		$\geq 0.15$	4 years
4th or Subsequent	IID Required	0.08 – 0.149	1 year; upon conviction 3 years
		$\geq 0.15$	4 years
Refusal	IID Discretionary	1 <sup>st</sup> offense	1 year (Concurrent w/underlying DWI offense)
	IID Required	2 <sup>nd</sup> / Subsequent	2 years (Concurrent w/underlying DWI offense)
Vehicular Negligent Injuring	IID Discretionary (1 <sup>st</sup> offense)  IID Required (Subsequent offenses)  Pre-adjudication see underlying DWI offense.	1 <sup>st</sup> offense	1 year upon conviction
		2 <sup>nd</sup> offense	2 years upon conviction
		3 <sup>rd</sup> / Subsequent	3 years upon conviction
Vehicular Homicide	IID Discretionary (1 <sup>st</sup> offense)  IID Required (subsequent offenses)  Pre-adjudication see underlying DWI offense.	Not applicable	2 years upon conviction

\* LA Revised Statutes 32:667(B); 32:414; 32:378.2; 14:32.1; 14:39.1; 14:39.2; 14:98.1; 14:98.2; 14:98.3; 14:98.4; CCRP 320

\*\*The same suspension times/interlock terms apply in cases of pleas under Article 893 or 894.

+ Ignition interlock is a condition of a hardship license regardless of offense.

++Pre-adjudication, a 1<sup>st</sup> offense with a BAC below 0.15 driver may sit out their 6-month suspension or get an interlock hardship license. If later convicted, an ignition interlock is a requirement for probation and license reinstatement.



### **CONTACT US TO ENROLL A CLIENT OR FOR MORE INFO:**

SMART START OF LOUISIANA

[smartstartla.com](http://smartstartla.com)

1-866-447-8686

[team@smartstartla.com](mailto:team@smartstartla.com)

## IGNITION INTERLOCK VIOLATIONS\*\*\*

Compliance based removal standards require a defendant to demonstrate the ability to drive sober for a defined period of time and require an extension of time on the interlock when noncompliant behaviors occur. \*\*\*LA R.S. 32:378.2(M) & (O) \*\*\*

Violation Type	Required Extension of the Interlock Term	
	1 <sup>st</sup> Offense	Repeat Offenses
Any combination of the following occurring 3 or more times in a 30- day period: <ul style="list-style-type: none"> <li>• Initial Test Failure</li> <li>• Rolling Retest Failure or Skipped Test</li> </ul>	1 month per occurrence	6 months per occurrence
Tampering or Circumvention		
Failure to service the device more than 2 times		
Defendants who install an ignition interlock device pre-adjudication as an administrative requirement may receive credit for this time on interlock toward any post-conviction requirement as long as they have no violations during the period of installation.		

## IGNITION INTERLOCK DRIVING OFFENSES

Offense	Statute/Penalty
<b>Driving Without an Interlock:</b> Defendants subject to an interlock requirement as a condition of probation may not: <ul style="list-style-type: none"> <li>• operate, lease, or borrow another motor vehicle without an interlock;</li> <li>• request or solicit another person to blow in to the device to allow the defendant to operate the vehicle;</li> <li>• circumvent or tamper with the device; and,</li> </ul> No person shall blow into the device or start a motor vehicle with an interlock device for the purpose of allowing a prohibited driver to operate the interlock equipped vehicle. (This penalty applies to an individual who blows into the device in order to start a vehicle for the restricted driver.)	<b>LA R.S. 14:334</b>  Imprisonment for not more than 6 months or a fine up to \$500, or both
<b>Driving Under Suspension, Alcohol Related:</b> The court may order any licensee who operates a motor vehicle during a period of suspension, revocation, or cancellation of license to have an ignition interlock installed. The interlock must be installed for the remainder of the suspension/revocation period.	<b>LA R.S. 32:415(B)(2)</b>  May order an interlock in addition to jail time and fines appropriate to type of license

**REPORTING:** The defendant must provide proof of installation to the court within 30 days. For this purpose, the defendant can provide one or more of the following documents: certificate of installation, lease/contract for the device, and/or a dated receipt listing the provided installation services. Ignition interlock reports are generated at each service (every 30 days) and are available electronically via email and/or online portals. **It is critical that the court and/or defendant effectively communicate the desired recipient of interlock reports to the selected vendor in order to gain access to reports.** Courts may notify Smart Start of Louisiana directly by using the "Client Enrollment" button on our website. When interlock is required as a licensing condition, but not by the court or program a defendant is enrolled in, interlock data can still be used to help identify where additional intervention may be warranted. Interlock reports can be made available upon request by the agency under these circumstances. Ignition interlock violation data is submitted to the OMV daily via electronic export.



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