



Judiciary Committee
Kansas State Legislature, House of Representatives
H.B. No. 2377, amends law related to driving under the influence (DUI)

February 16, 2021

Chairman Patton, Vice Chair Ralph, and distinguished members of the Judiciary Committee:

On behalf of the Coalition of Ignition Interlock Manufacturers, I want to thank this committee for the opportunity to provide testimony for HB 2377. The Coalition of Ignition Interlock Manufacturers (CIIM) is composed of the nation's leading companies that manufacture ignition interlock devices that prohibit impaired persons from starting their vehicle. Our shared goal is to provide state administrators, courts, and policy makers the tools necessary to keep our roads and highways safe from drunk drivers.

My name is Debra Coffey, I am here representing the Coalition of Ignition Interlock Manufacturers. First, thank you for the opportunity to provide comment on the important work the DUI Advisory Committee has undertaken to make enhancements to the current DUI laws and the Kansas Ignition Interlock Program. The Coalition is in favor of most of the recommendations by the DUI Advisory Committee and had the opportunity the last two years to participate as an observer during the meetings. Last year, the Coalition made recommendations to this Judiciary Committee and a few of those were adopted by the DUI Advisory Committee and are part of HB 2377.

On behalf of the Coalition of Ignition Interlock Manufacturers and supported by Best Practices on Ignition Interlock Programs throughout the United States we make the following recommendations regarding the section on reduced ignition interlock program costs.

We agree with the recommendation to **improve and expand the indigent program in Kansas, providing for transparency and access**. We agree that the Indigent Program should have an easy and quick path to eligibility, be accessible to anyone qualified and not require additional workload or employees.

When financial hardship is cited by DUI offenders as a reason for avoiding an interlock when the opportunity is presented, we agree of the importance to provide cost offset for true eligible indigent offenders. To do so, there is a need to establish an objective criterion to determine indigent status, so eligibility can be administered fairly. The current bill has established that eligibility criteria, based on income and whether the person currently receives federal or state assistance.

The current proposal in the bill for the indigent program was selected from California and grants indigent status to people earning up to 400% of the Federal Poverty line. We do not believe legislation in Kansas should mirror that of California, where the cost of living is much higher. With the existing bill language, an individual with an income up to \$51,040 and a family of four with an income up to \$104,800 would be deemed indigent in Kansas. Alternatively, we do not believe it fair to our industry for an Interlock customer, who is at the lowest end at 100% of the Federal Poverty line, to pay .27 cents a day or \$8.30 a month for an interlock.

When I look at this proposal and then compare it with the median household income in Kansas of \$59,017, or the average household income of \$89,000, this proposal suggests that median households and average households in Kansas are all indigent. A majority of Kansas households earn less than \$104,800, so a majority of Kansas is deemed “indigent” in this bill. I am not sure that is what the Legislature intends to convey with this bill, but if the Legislature accepts this indigent program, that is the message.

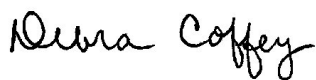
We recommend that Kansas use a standard of 150% of the Federal Poverty line as a determinant for eligibility for the indigent program. Why does the Coalition recommend 150% of the Federal Poverty level? This is the standard most states use for eligibility purposes for Interlock Indigent programs. Under our proposal, individuals with income below \$19,140 and a head of a family of four with income below \$39,330 *would qualify* for 50% discounts on their IID device, along with free installation and removal of the device. Fifty percent would require the offender to pay, \$1.38 a day or \$41.50 a month, with our recommendation to waive the Install and Removal fees.

We believe that it is important that our customers have ownership in the program toward their success; 50% off the monthly lease cost of the device, provides them with some accountability of the equipment and program, while also allowing our small Kansas business contract shops to stay in business.

Thank you for the opportunity to testify. We appreciate the dedication of the DUI Advisory Committee and the Legislature to improve the ignition interlock program in Kansas. We stand ready to provide any support, assistance or technical information regarding interlocks and the Interlock program in Kansas. We respectfully request participating in conversations regarding best practices on Ignition Interlock programs and believe we have a broad range of resources to add to the conversation and discussions.

We would appreciate your consideration to amend HB 2377, to include these recommendations on the affordability program.

Respectfully submitted,



Debra Coffey

On behalf of the Coalition of Ignition Interlock Manufacturers
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ATTACHMENT: (1) Scalable Fee Schedule Ignition Interlock

FOOTNOTE:

Group 1: 100% of poverty level; 90% paid by interlock companies; 10% by offender.

Income: Up to \$12,760 – individual
Up to \$ 26,200 – Family of 4

Group 2: 101-200% of poverty level; 75% paid by interlock companies; 25% by offender.

Income: Up to \$25,520 - individual
Up to \$52,400 – Family of 4

Group 3: 201-300% of poverty level; 50% paid by interlock companies; 50% by offender.

Income: Up to \$38,280 – individual
Up to \$78,600 – family of 4

Group 4: 301-400% of poverty level; 25% paid by interlock companies; 75% by offender.

Income: Up to \$51,040 – individual
Up to \$104,800 – Family of 4