



COMMONWEALTH of VIRGINIA

Commission

on the

Virginia Alcohol Safety Action Program (VASAP)

Angela D. Coleman
Executive Director

VASAP BUSINESS ANALYSIS PLAN WORK SESSION

Wednesday, May 19, 2021

Virtual

2:00 p.m.

AGENDA

- I. CALL TO ORDER
Senator Richard H. Stuart, Chairman
- II. ATTENDANCE CHECK
- III. ANALYSIS PLAN OVERVIEW
Angela D. Coleman
- IV. REGULATORY OVERVIEW
Janet Baugh, Office of the Attorney General
- V. PROPOSAL
- VI. Angela D. Coleman & Christopher Morris
- VII. WORKING GROUP DISCUSSION
- VIII. NEXT MEETING DATE
July 14, 2021 at 2:00 p.m.
- IX. ADJOURNMENT



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Ignition Interlock Regulations Draft

24VAC35-60-50 Fees

A. All potential service providers desiring to conduct business in the Commonwealth of Virginia's ignition interlock program shall submit a \$250 nonrefundable application fee to the commission.

B. The following additional fees shall be paid by the service provider to the commission:

1. A \$250 annual contract review fee;
2. A \$75 annual review fee for each ignition interlock service center;
3. A \$250 retest fee each and every time a service provider employee is required to take a second or subsequent Virginia Ignition Interlock Certification Exam due to an unsuccessful attempt on the first exam; and
4. A ~~\$40~~ \$20 monthly ignition interlock administrative fee for each offender. The fee shall be accompanied by an associated offender list, categorized by ASAP, supporting the payment amounts. The ASAP offender list and payment shall be submitted no later than the 10th day of the month following the month when the ignition interlock services were provided; and
5. A \$2,500 fee per each new ignition interlock device certification application submitted to the commission that was not previously certified in the Commonwealth.

~~C. A \$10 monthly ignition interlock administrative fee shall be paid by the service provider directly to the servicing ASAP for each offender. The fee shall be accompanied by an associated offender list, categorized by ASAP, supporting the payment amounts. The ASAP offender list and payment shall be submitted no later than the 10th day of the month following the month when the applicable ignition interlock services were provided.~~

~~D. C.~~ Service providers may charge offenders for ignition interlock services at rates up to, but not to exceed, the following:

1. \$65 for a standard ignition interlock installation;
2. \$130 for the installation of an ignition interlock on a hybrid motor vehicle, motor vehicle with a push button starter, or other vehicle requiring more than four hours of installation labor time when approved by the commission;
3. \$75 for a change of vehicle ignition interlock installation;
4. \$0 for an ignition interlock removal;
5. \$95 plus applicable taxes for monthly ignition interlock calibrations or monitoring, inclusive of the monthly administrative fees to be paid to the commission and servicing ASAP;
6. \$8.00 per month for optional insurance to cover theft or accidental damage to the ignition interlock and its components;
7. An amount of 10% over the actual replacement cost of the ignition interlock and its components when theft or accidental damage occurs and the offender has not purchased the optional insurance;
8. \$50 plus mileage calculated at the Commonwealth of Virginia mileage rate in effect at the time, not to exceed 100 miles, for service calls;
9. \$50 for violation resets, when the violation is determined to be due to the fault of the offender;
10. \$35 for missed appointments;
11. An amount permitted by the Code of Virginia at the time for returned checks;
12. \$50 for provision of a permanent lockout code, when the lockout is determined to be due to the fault of the offender; and
13. \$50 per hour, not to exceed four total hours, for repairs and reinstallation of the ignition interlock when the commission determines that the offender illegally tampered with the device.

~~E. D.~~ In the event of changes to the Code of Virginia or the Ignition Interlock Program Regulations (24VAC35-60) mandating enhanced technological capabilities of ignition interlock devices used in the Commonwealth, the commission may increase offender installation and calibration fees up to a maximum of 25%.

~~E. E.~~ All service providers shall create and maintain an indigency fund for offenders who are eligible for a reduction in fees based upon a declaration of indigency by the court and approval by the commission. Service providers shall not deny service to any offender for whom there has been a declaration of indigency and approval by the commission.

Ignition Interlock Regulations Final

24VAC35-60-50. Fees.

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B. The following additional fees shall be paid by the service provider to the commission:

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4. A \$20 monthly ignition interlock administrative fee for each offender. The fee shall be accompanied by an associated offender list, categorized by ASAP, supporting the payment amounts. The ASAP offender list and payment shall be submitted no later than the 10th day of the month following the month when the ignition interlock services were provided; and
5. A \$2,500 fee per each new ignition interlock device certification application submitted to the commission that was not previously certified in the Commonwealth.

C. Service providers may charge offenders for ignition interlock services at rates up to, but not to exceed, the following:

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5. \$95 plus applicable taxes for monthly ignition interlock calibrations or monitoring, inclusive of the monthly administrative fees to be paid to the commission;
6. \$8.00 per month for optional insurance to cover theft or accidental damage to the ignition interlock and its components;
7. An amount of 10% over the actual replacement cost of the ignition interlock and its components when theft or accidental damage occurs and the offender has not purchased the optional insurance;
8. \$50 plus mileage calculated at the Commonwealth of Virginia mileage rate in effect at the time, not to exceed 100 miles, for service calls;
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D. In the event of changes to the Code of Virginia or the Ignition Interlock Program Regulations (24VAC35-60) mandating enhanced technological capabilities of ignition interlock devices used in the Commonwealth, the commission may increase offender installation and calibration fees up to a maximum of 25%.

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Proposed Allocation of State Funds

| Revenue/State Fund Type | ASAP < 30% of Annual Budget | ASAPs Receiving Local Gov't Funds | Technology | Satellite Office Space & Staffing | Balance |
|--|-----------------------------|-----------------------------------|-------------|-----------------------------------|-----------|
| ASAP Pre-Pandemic Annual Revenue | | | | | \$917,150 |
| | Alexandria | | | | \$44,854 |
| | Capital Area | | | | \$50,406 |
| | Court Community Corrections | | | | \$25,379 |
| | Old Dominion | | | | \$130,581 |
| | Valley | | | | \$22,721 |
| | Dan River | | | | \$44,100 |
| | Southside | | | | \$26,700 |
| | | Arlington | | | \$41,640 |
| | | Fairfax | | | \$114,000 |
| | | | Rural Areas | | \$125,000 |
| | | | | Tri-River & Southwest | \$291,769 |
| | | | | | \$0 |
| Interlock Fees 3-11% of ASAP Annual Budget | | | | | |