

Transport
for NSW

Alcohol Interlock Program

Participant Guide

September 2022





The aim of the interlock program is to reduce drink driving related deaths and injuries on NSW roads.

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The Alcohol Interlock Program is a court-ordered penalty for NSW drivers who commit a serious drink driving offence; or more than one drink driving offence; or a combined drink and drug driving offence. The alcohol interlock program is another step toward reducing drink driving on NSW roads.



If you are ordered by the Court to participate in the program, you will receive a period of driver licence disqualification and be required to have an alcohol interlock device installed in your vehicle for a minimum of 12 months. This is in addition to any other penalty ordered by the Court.

If you fail to complete the requirements of the court order, you will be disqualified from holding a driver licence for at least five years.

What is an interlock?

Interlocks are electronic breath testing devices linked to the ignition system of cars, motorcycles and heavy vehicles. Drivers must provide a breath sample that the interlock analyses for the presence of alcohol. It prevents the vehicle from starting if alcohol is detected. Randomly timed breath tests must also be passed while you drive. A camera is also typically installed with the interlock and takes a photograph of the person providing the breath sample to reduce the risk of a driver trying to circumvent the program.

All breath test results, a photograph of the person providing the sample, and any attempts to tamper with the device are recorded by the interlock. This information is used to monitor attempts to drink and drive, and any breach of interlock licence conditions.

In NSW, all program participants must have a zero blood alcohol concentration when driving. This means that they cannot have any alcohol in their system while driving.

Overview

Aim of the interlock program

The aim of the interlock program is to reduce drink driving related deaths and injuries on NSW roads.

The program is designed to help drink drivers separate drinking and driving. It does this by keeping offenders in the licensing system on a closely monitored basis, with the interlock physically preventing drink driving.

A participant's breath test results are recorded by the interlock and monitored by Transport for NSW during the interlock period. This is so Transport for NSW can be confident that a participant has learnt to separate drinking from driving, and can safely drive without the need for an interlock.

Combined drug and alcohol penalties

On 28 June 2021, a new law was introduced to target drivers who drive with both an illegal blood alcohol level and illegal drugs in their system. These offences are called combined drink and drug driving offences.

This change introduces harsh penalties for these offences to prevent high-risk behaviour on NSW roads. The new law carries more severe penalties than individual drink or drug driving offences.

What the Court will order

If you have been convicted of a serious drink driving offence; or more than one drink driving offence; or a combined drink and drug driving offence, the Court may order:

- a court-imposed fine
- a licence suspension, cancellation or disqualification
- a minimum period of participation in the interlock program
- a prison sentence

The Court may grant an exemption from participating in the interlock program, but only in limited circumstances.

For more information on these penalties visit the NSW Government [website](#)¹.

For examples of how the program operates see Appendix 1.

Your responsibilities

Please read the information in this Guide to ensure that you fully understand the program and your obligations. If you have any questions, please contact us on 13 22 13 or discuss it with your legal representative.

Your involvement in the interlock program comes with significant responsibilities. Failure to comply with your interlock licence conditions can result in serious consequences, including fines, extensions to your interlock licence period, licence suspension and licence cancellation.

¹ www.nsw.gov.au/driving-boating-and-transport/demerits-penalties-and-offences/offences/alcohol-and-drug-offences

Your interlock licence conditions are that you:

1. Only drive with a zero blood alcohol concentration
2. Only drive a vehicle which is fitted with an interlock
3. Ensure that an interlock is installed in at least one vehicle
4. Only drive the vehicle if you have personally provided the breath sample required by the interlock
5. Attend all medical consultations required under the program
6. Ensure that your interlock is serviced when required under the program
7. Do not drive any motor vehicle if you know that the interlock is not working properly, or has been circumvented or interfered with
8. Do not drive a vehicle which is loaded with dangerous goods that must be placarded under the Dangerous Goods (Road and Rail Transport) Regulation 2014.

If you meet these conditions, the interlock program gives you the opportunity to:

- Drive your vehicle legally
- Learn to separate drinking from driving
- Discuss your alcohol use with a doctor
- Access employment, health, education or other services
- Provide transport for your family and friends.

You are also required to comply with all other conditions or restrictions that may apply to your licence.

For example, if you have a provisional licence, you need to comply with passenger conditions, are not allowed to drive prohibited, high performance vehicles and must display your 'P' plates.

More information about your licence can be found on the NSW Government [website](#)².

Costs

The interlock program operates on a user pays basis. You are required to pay all costs of being involved in the program. This includes costs to accredited interlock service providers for installing, maintaining and removing the interlock for each vehicle you intend to drive. You are also required to pay a program administration fee to Transport for NSW when you apply for an interlock licence. Visit the NSW Government [website](#)³ for more information on interlock service providers and program costs.

Concession rates are available to eligible concession card holders (see Financial assistance on page 10).

² www.nsw.gov.au/driving-boating-and-transport/driver-and-rider-licences
³ www.nsw.gov.au/driving-boating-and-transport/demerits-penalties-and-offences/offences/alcohol-and-drug-offences/alcohol-interlock-program

The Alcohol Interlock Program

The courts and the alcohol interlock program

When you are convicted of a serious drink driving offence; or more than one drink driving offence; or a combined drink and drug driving offence, the Court will order a period of driver licence disqualification as part of your penalty.

The Court will also order you to complete a period of participation in the interlock program. The minimum length of your involvement in the program will be 12 months. The licence disqualification period, and any other existing disqualifications, must be completed before you can enter the interlock program.

These penalties will be in addition to any other penalty imposed by the Court.

Getting your interlock licence

Interlock licences are available for drivers, motorcycle riders and heavy vehicle drivers.

You need to:

- Complete your disqualification period
- Visit your doctor
- Install an interlock in your vehicle.

Once you have done this, you need to apply for your interlock licence at a Service NSW centre. Interlock licences can take longer to issue than a normal licence.

You may not be eligible to apply for an interlock licence if you have any other court imposed licence disqualifications, outstanding demerit points, or excessive speed matters or if you have unpaid fines with Revenue NSW. Before installing an interlock device, you should contact us on 13 22 13 to see if there are any other actions that may prevent you from being issued an interlock licence.

Steps you need to complete before you can apply for your interlock licence

- a. See your **doctor** and get your Medical Consultation Certificate
- b. **Install** your interlock and get your Interlock Installation Certificate
- c. **Sign** your Driver Licence Statement and Privacy Declaration.
- d. **Apply** for your licence

These steps are explained below.

a. See your doctor and get your Medical Consultation Certificate

Before you can apply for an interlock licence, you must first visit your doctor. You must see your doctor in the 28 days before you intend to apply for an interlock licence.

Your doctor will ask you questions about your alcohol consumption and discuss any issues or concerns. This is an opportunity to talk about your alcohol use, health and driving. Your doctor may also refer you for further treatment.

During the consultation, you must complete and sign the enclosed **Medical Consultation Certificate – Entry into the Alcohol Interlock Program** with your doctor. You will need to take this (and the other forms below) to a Service NSW centre when you apply for your interlock driver licence.

b. Install your interlock and get your Interlock Installation Certificate

You must have an interlock installed in at least one nominated vehicle before you will be issued with an interlock licence.

Only an accredited interlock service provider can fit an interlock to your vehicle. A list of accredited interlock service providers can be found on the NSW Government [website](#)⁴ or by contacting us on 13 22 13.

The provider will train you and give you an instruction booklet on how to use your interlock. If other people will use your interlock-fitted vehicle, they should also be trained. This is because whenever they drive the vehicle, they will need to know how to use the interlock correctly. All data received from other drivers will be recorded against your interlock records.

Your provider will also place a label on your interlock stating that it is a NSW approved interlock device. It is an offence for you or anyone other than an accredited interlock service provider to affix, replace or remove this label.

After your interlock is installed, ensure that your provider signs the enclosed Interlock Installation Certificate. You must take this, along with your other forms, to Service NSW when you apply for an interlock driver licence.

c. Driver Licence Statement and Privacy Declaration

You will be required to acknowledge and agree to all the conditions of the interlock program before you will be issued with an interlock licence.

By signing the enclosed Interlock Driver Licence Statement and Privacy Declaration you confirm that you understand the conditions of your involvement in the interlock program and how your data is used and stored.

Contact us on 13 22 13 if you have any questions about the program.



d. Applying for your interlock licence

Checklist: Have you got these signed and completed forms?

- 1. Medical Consultation Certificate – Entry into the Alcohol Interlock Program, signed by your doctor
- 2. Interlock Installation Certificate, signed by your interlock provider
- 3. Interlock Driver Licence Statement and Privacy Declaration, signed by you.

These forms are enclosed with this guide.

You can apply for your interlock licence at a Service NSW centre.

You will also be required to complete the usual requirements for a licence application, including:

- The standard licence application form
- Completing any knowledge, driving or other test, if required.

You will be required to pay all associated costs, including the standard licence fee and an interlock administration fee. View further information on [current licensing fees](#)⁵ and the interlock administration fee, visit the NSW Government [website](#)⁶.

⁴ www.nsw.gov.au/driving-boating-and-transport/driver-and-rider-licences

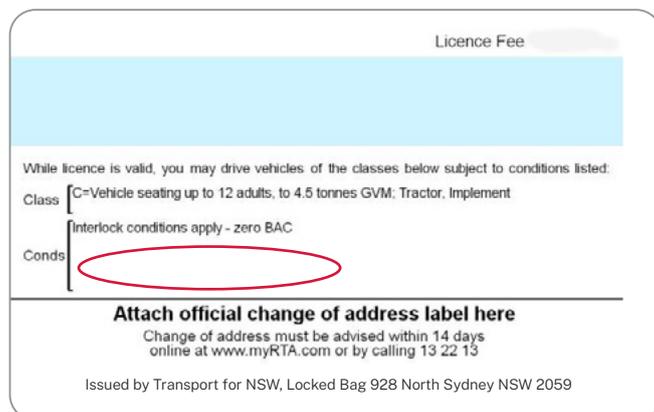
⁵ www.nsw.gov.au/driving-boating-and-transport/driver-and-rider-licences

⁶ www.nsw.gov.au/driving-boating-and-transport/demerits-penalties-and-offences/offences/alcohol-and-drug-offences/alcohol-interlock-program

Your interlock licence will have the letter “I” on the front, indicating that the licence is subject to interlock conditions.



The back of your interlock licence will state that interlock conditions apply.



Driving with your interlock

Before starting the vehicle, you must blow into the device. Your breath sample is analysed for alcohol and a photograph taken before your vehicle will start.

It is your responsibility to ensure that you maintain a zero blood alcohol concentration when you drive. If you are detected by NSW Police with any amount of alcohol in your system, you may be charged with a drink driving offence.

The safest way to ensure that your blood alcohol concentration is zero is to not drink at all when you intend to drive, and to also strictly limit your drinks in the evening if you intend to drive the next morning. It can take several hours for alcohol to completely leave your body after drinking. The more you drink, the longer it will take for your blood alcohol concentration to return to zero.

To ensure you remain with a zero blood alcohol concentration throughout a journey, the interlock also requires additional breath samples while you drive. When prompted, you should pull over in a safe location to take the test.

All test results and photographs are recorded by your interlock, including the test taken when you try to start your vehicle, and those taken during your journey.

If you fail a breath test at any time, the device will display a lockout time (for example, 5 minutes or 30 minutes) which varies depending on your blood alcohol concentration. This shows how long you must wait before the next test can be taken. If you know you have been drinking, you may choose to wait longer before trying again.

If you are locked out a number of times, you may trigger an early service alert. This means you must have the device serviced by your provider at additional cost to you.

Offences during the program

At all times while you are on the interlock program, you must meet your interlock licence conditions (see page 3). Not doing so could result in fines, extensions to your interlock licence period and licence disqualification.

In addition to your interlock licence conditions, there are also other offences which can result in fines and penalties:

- It is an offence for anyone other than an accredited interlock service provider or their agent to:
 - install, maintain or remove an interlock
 - label, or remove the label from, an interlock
- It is an offence for anyone to tamper with or otherwise interfere with an interlock
- It is an offence for you to refuse to allow a police officer to inspect an interlock
- It is an offence for another person to assist you to start a vehicle with an interlock (for example, by providing a breath sample to start the vehicle for you).

Other offences committed during your interlock period

Any period for which your interlock licence is suspended or cancelled (for example, a demerit point suspension) will not count towards completing the interlock period ordered by the Court. This means extending your time on the interlock program.

If your interlock licence has been cancelled and you have not completed your interlock period, you will remain prohibited from holding anything other than an interlock licence or learner licence until at least five years have passed since your original conviction. You will be eligible to rejoin the interlock program if you reinstall an interlock.

Compliance and monitoring

You must ensure that your interlock is regularly serviced in line with the requirements of the interlock program.

Your interlock service provider will advise you when your interlock is scheduled for a service. These visits may be scheduled every 60 days, or every 90 days if you live in an area remote from a provider.

All interlocks have a countdown to alert you to when you must attend the service. If you do not service your vehicle within seven days of its due date, the interlock will enter a permanent lockout. This means you will have to contact your provider, and possibly incur additional costs.

If you do not register failed breath tests, your service visits may be extended to 90 days. This will reduce the time you spend attending service visits.

The device will be maintained and inspected during the service. All data stored in it will be downloaded and sent to Transport for NSW for monitoring. Any data of other drivers will be recorded against your interlock data.

A physical check will also be made of the interlock device and its labelling during the service to ensure the device has not been tampered with.

If you have registered failed breath tests during your time on the program, you will receive advisory letters and/or health referrals from Transport for NSW. If you receive one of these letters, you are strongly encouraged to visit your doctor to discuss your use of alcohol and separating drinking from driving. This is another opportunity to talk about your alcohol use, health and driving.

Completing the alcohol interlock program

In the last six months of your interlock period, you must demonstrate that you can separate drinking and driving before you will be eligible to hold a licence without an interlock condition.

Failed breath tests (even at low range) can result in Transport for NSW determining that you need to undergo an Interlock Medical Examination (IME) with a doctor before your interlock condition can be removed. This examination is conducted in accordance with the Austroads Assessing Fitness to Drive guidelines.

Based on the outcome of this examination and the review of your interlock data, Transport for NSW can extend your interlock period for a further six months. At the end of this period, you will need to undertake another mandatory interlock examination before you can complete the program.

Transport for NSW will advise you when your interlock participation period has been completed. When you successfully complete the program, you will need to visit a Service NSW centre to obtain a driver licence that does not carry the interlock condition. You can then organise for your interlock service provider to remove the interlock from your vehicle.

If you have questions about completing the interlock program, contact us on 13 22 13.



Financial assistance

Concession rate for interlock services

Interlock service providers offer a concession rate of 35 per cent off the standard cost of installing, leasing, scheduled servicing and device removal if you hold a:

1. Pensioner Concession Card—Full rate pension recipients only
2. Health Care Card—Low income only
3. Department of Veterans Affairs Gold Card endorsed as:
 - TPI (totally and permanently incapacitated)
 - EDA (extreme disablement adjustment)
 - War widow or war widower.

Ask your interlock provider about concessions that may be available if you think you might be eligible. Provide evidence of your concession entitlement when you enter your agreement with your interlock provider when the device is installed. The provider may need to verify with Centrelink or Department of Veterans Affairs your eligibility for a concession.

You need to provide evidence of your entitlement to a concession on an ongoing basis. If you cannot prove that you continue to qualify for the concession, the provider may charge the standard fee.

Severe financial hardship assistance

Short-term financial assistance may be available from Transport for NSW for participants in severe financial hardship. This assistance can range from partial assistance to the full amount owing to an interlock service provider.

Assistance is available only upon application by participants. Assistance is for periods of three months at a time.

Transport for NSW will refer you to an assessment agency that will assess your financial situation and your eligibility for assistance. Transport for NSW will advise you in writing about the outcome of your application.

Financial assistance goes towards covering standard interlock program fees for installation, servicing and removal. Assistance is paid directly to the interlock service provider.

Financial assistance is not available for:

- Extra service visits arising from any non-compliance with the program
- Removal of the device if you choose to leave the program before completing your interlock period.

For more information on applying for severe financial hardship assistance, contact us on 13 22 13.

Moving interstate while on the NSW interlock program

Moving to another State or Territory while on the NSW interlock program

If you decide to move to another State or Territory while you are on the NSW Alcohol Interlock Program, you will be effectively withdrawing from the NSW program and your licence will be disqualified.

Due to different State and Territory requirements, you may not be able to get a licence in another State or Territory if you have not completed your interlock period. You will need to discuss your options with the licensing authority of the State or Territory to which you are moving. Should you return to NSW, you will be able to complete the remainder of your program unless completed in another state.

Moving to NSW from another State or Territory with an interlock licence

If you hold an interlock licence from another State or Territory and move to NSW, you can enter the NSW Alcohol Interlock Program.

You can also enter the NSW program if you have been ordered to enter an interlock program in another State or Territory but haven't yet done so.

If you wish to do this, you should contact us on 13 22 13 to discuss your situation.

Appendix 1: How the program operates

Example 1: Interlock order



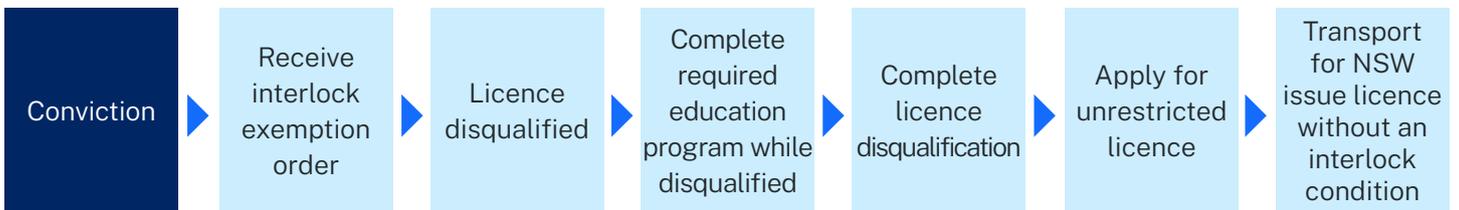
Example

Offence with a minimum **6 month** and maximum **9 month** disqualification and a minimum interlock period of 24 months.



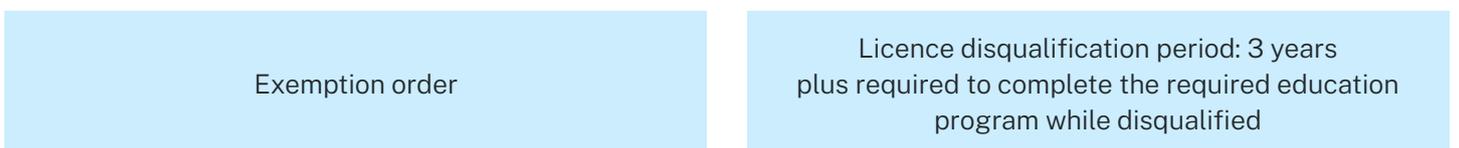
Note: If you do not complete your interlock period, you may be disqualified from holding a licence other than an interlock licence for at least 5 years from the date of your conviction.

Example 2: Interlock exemption order



Example

Offence with a minimum 12 month and maximum unlimited licence disqualification.



More information

More information about your participation in the interlock program can be found on the NSW Government [website](http://www.nsw.gov.au/driving-boating-and-transport/demerits-penalties-and-offences/offences/alcohol-and-drug-offences/alcohol-interlock-program) (www.nsw.gov.au/driving-boating-and-transport/demerits-penalties-and-offences/offences/alcohol-and-drug-offences/alcohol-interlock-program).

Service NSW centres will also be able to help.

W: nsw.gov.au

T: 13 22 13

Customer feedback

Transport for NSW

Locked Bag 928,

North Sydney NSW 2059

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The information in this document is intended as a guide only and is subject to change at any time without notice. It does not replace the relevant legislation.

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