

The following regulation will impact BAIDD (Breath Alcohol Ignition Interlock Device) providers:

The Secretary of State proposed amendments to Procedures and Standards (92 IAC 1001; 40 Ill. Reg. 11136) concerning certification of Breath Alcohol Ignition Interlock Device (BAIID) providers. (BAIDDs may be installed in vehicles belonging to certain DUI offenders as a condition of receiving a restricted driving permit.) The amendments add to the application for certification or recertification as a provider proof that the applicant is in good standing with SOS-Business Services; require images taken by the BAIDD to be available at SOS via online account access; and limit field tests to 3 per model for certification. BAIDD models failing 3 tests are ineligible for certification and the applicant or provider must provide another certified model. For BAIDDs installed on behalf of indigent clients, providers must submit invoices that include the names, driver's license numbers and brief description of services provided, to WOS by the 15th of the month following the end of each quarter. Failure to submit an invoice will result in nonpayment. Subsequent invoices filed to remedy underreporting of indigent clients will not be honored. Finally, the amendments delete a reference to an out of date opt out form.

Bottom Line: The rulemaking sets forth an earlier deadline (September) for BAIDD providers to submit their renewal application, requires providers to have online access to images taken by a BAIDD, requires submission of a certificate of good standing, limits the number of field tests to three, clarifies providers responsibilities to seek reimbursement for providing services to indigent offenders, requires offenders seeking to submit a tax return as evidence of indigency to submit a transcript of the return and eliminates an outdated provision requiring an opt-out form to be filed with the court. For questions or to submit comments, contact Brenda Glahn, Illinois Secretary of State's Office, at bglahn@ilsos.net, or call (217) 785-3094.
