

SB 1046/611 Restriction Requirements

September 24, 2018

The following table indicates the restriction requirements for driving under the influence (DUI) and Administrative Per Se (APS) offenders under the provisions of Senate Bill (SB) 1046 (Hill, Ch. 783, Stats. 2016) and SB 611 (Hill, Ch. 485, Stats. 2017). Pursuant to Vehicle Code (VC) §§13352 and 13352.1, an administrative service fee (ASF) is specified for offenders who opt to install an ignition interlock device (IID) in order to reinstate early, or without serving any period of suspension or revocation (ASF #1). Pursuant to VC §23575.3, an additional ASF is specified for offenders who are subject to the mandatory installation and maintenance of an IID (ASF #2). No ASFs are specified for offenders suspended under the APS provisions, or who opt to choose a restriction that would allow the offender to drive to/from/during their course of employment and to/from the DUI program pursuant to VC §§13352.4, 13352.5, 13353.6, and 13353.75. Lastly, all offenders must pay any restriction or reinstatement fees correlating to their original suspension or revocation in addition to the applicable ASF.

Suspension/ Revocation Authority Section	Restriction Authority Section	Restriction Eligibility	Length of Restriction	Restriction Requirements	IID Installation Yes or No/ Mandatory or Optional	Length of IID Installation per VC §23575.3
13353.2	13353.6	Immediately	Up to 4 months	$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101) $\frac{3}{4}$ Proof of Financial Responsibility (SR 22)	Yes/Optional	

				³ / ₄ Verification of Installation of Ignition Interlock Device (DL 920)		
13353.2	13353.75	Immediately	Up to 12 months	³ / ₄ DUI Program Enrollment or Completion (DL 107 or DL 101) ³ / ₄ Proof of Financial Responsibility (SR 22) ³ / ₄ Verification of Installation of Ignition Interlock Device (DL 920)	Yes/Optional	
First Offenders (VC §§13352a1 & 13352.1)						
13352a1	13352a1	Immediately	Until completion of reinstatement requirements	³ / ₄ DUI Program Enrollment or Completion (DL 107 or DL 101) ³ / ₄ Proof of Financial Responsibility (SR 22) ³ / ₄ Verification of Installation of Ignition Interlock Device (DL 920) ³ / ₄ Administrative Service Fee #1	Yes/Optional	Up to 6 months
				³ / ₄ DUI Program Enrollment or Completion (DL		

13352.1	13352.1	Immediately	Until completion of reinstatement requirements	<p>107 or DL 101)</p> <p>³/₄ Proof of Financial Responsibility (SR 22)</p> <p>³/₄ Verification of Installation of Ignition Interlock Device (DL 920)</p> <p>³/₄ Administrative Service Fee #1</p>	Yes/Optional	
13352a1 & 13352.1	13352.4	Immediately	12 months	<p>³/₄ DUI Program Enrollment or Completion (DL 107 or DL 101)</p> <p>³/₄ Proof of Financial Responsibility (SR 22)</p> <p>³/₄ Restriction limited to driving to and from employment, during course of employment, and to driving to and from DUI treatment program</p>	No	
First Offenders with Injury (VC §13352a2) Alcohol – VC §23153a, b, d, e, or g						
				<p>³/₄ DUI Program Enrollment or Completion (DL 107 or DL 101)</p> <p>³/₄ Proof of</p>	Yes/Mandatory	12 months

13352a2	13352a2	Immediately	Until completion of reinstatement requirements	<p>Financial Responsibility (SR 22)</p> <p>$\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920)</p> <p>$\frac{3}{4}$ Administrative Service Fee #1 and #2</p>		
Second Offenders (VC §13352a3) Alcohol – VC §23152a, b, d, e, or g						
13352a3	13352a3	Immediately	Until completion of reinstatement requirements	<p>$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101)</p> <p>$\frac{3}{4}$ Proof of Financial Responsibility (SR 22)</p> <p>$\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920)</p> <p>$\frac{3}{4}$ Administrative Service Fee #1 and #2</p>	Yes/Mandatory	12 months
		After completion	Until	<p>$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101)</p> <p>$\frac{3}{4}$ Proof of Financial Responsibility (SR 22)</p> <p>$\frac{3}{4}$ Restriction</p>	No	

13352a3	13352.5	of 12 months of suspension term	completion of reinstatement requirements	limited to driving to and from employment, during course of employment, and to driving to and from DUI treatment program		
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Second Offenders (VC §13352a3) Drugs – VC §23152c or f

13352a3	13352a3	After completion of 12 months of suspension term	Until completion of reinstatement requirements	$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101) $\frac{3}{4}$ Proof of Financial Responsibility (SR 22) $\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920) $\frac{3}{4}$ Administrative Service Fee #1	Yes/Optional	
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Second Offenders with Injury (VC §13352a4) Alcohol – VC §23153a, b, d, e, or g

13352a4	13352a4	Immediately	Until completion of reinstatement requirements	$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101) $\frac{3}{4}$ Proof of Financial Responsibility (SR 22) $\frac{3}{4}$ Verification of Installation of	Yes/Mandatory	24 months
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				Ignition Interlock Device (DL 920)		
				³ / ₄ Administrative Service Fee #1 and #2		
Second Offenders with Injury (VC §13352a4) Drugs – VC §23153f						
13352a4	13352a4	After completion of 12 months of suspension term	Until completion of reinstatement requirements	³ / ₄ DUI Program Enrollment or Completion (DL 107 or DL 101) ³ / ₄ Proof of Financial Responsibility (SR 22) ³ / ₄ Verification of Installation of Ignition Interlock Device (DL 920) ³ / ₄ Administrative Service Fee #1	Yes/Optional	
Third Offenders (VC §13352a5) Alcohol – VC§23152a, b, d, e, or g						
13352a5	13352a5	Immediately	Until completion of reinstatement requirements	³ / ₄ DUI Program Enrollment or Completion (DL 107 or DL 101) ³ / ₄ Proof of Financial Responsibility (SR 22) ³ / ₄ Verification of Installation of Ignition Interlock Device (DL 920)	Yes/Mandatory	24 months

$\frac{3}{4}$ Administrative Service Fee #1 and #2

Third Offenders (VC §13352a5) Drugs – VC §23152c or f

13352a5

13352a5

After completion of 12 months of suspension term

Until completion of reinstatement requirements

$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101)

Yes/Optional

$\frac{3}{4}$ Proof of Financial Responsibility (SR 22)

$\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920)

$\frac{3}{4}$ Administrative Service Fee #1

Third and Subsequent Offenders with Injury or Offenders with Injury & Prior Felony (VC §13352a6) Alcohol – VC §23153a, b, d, e, or g

13352a6

13352a6

Immediately

Until completion of reinstatement requirements

$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101)

Yes/Mandatory

48 months

$\frac{3}{4}$ Proof of Financial Responsibility (SR 22)

$\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920)

$\frac{3}{4}$ Administrative Service Fee #1 and #2

Third and Subsequent Offenders with Injury or Offenders with Injury & Prior Felony (VC §13352a6) Drugs – VC §23153f

13352a6	13352a6	After completion of 12 months of suspension term	Until completion of reinstatement requirements	$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101) $\frac{3}{4}$ Proof of Financial Responsibility (SR 22) $\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920) $\frac{3}{4}$ Administrative Service Fee #1	Yes/Optional	
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Fourth and Subsequent Offenders or Offenders with Prior Felony (VC §13352a7) Alcohol – VC §23152a, b, d, e, or g

13352a7	13352a7	Immediately	Until completion of reinstatement requirements	$\frac{3}{4}$ DUI Program Enrollment or Completion (DL 107 or DL 101) $\frac{3}{4}$ Proof of Financial Responsibility (SR 22) $\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920) $\frac{3}{4}$ Administrative Service Fee #1	Yes/Mandatory	36 months
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Fourth and Subsequent Offenders or Offenders with Prior Felony (VC §13352a7) Drugs – VC §23152a, b, d, e, or g

				$\frac{3}{4}$ DUI Program		
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13352a7	13352a7	After completion of 12 months of suspension term	Until completion of reinstatement requirements	<p>Enrollment or Completion (DL 107 or DL 101)</p> <p>$\frac{3}{4}$ Proof of Financial Responsibility (SR 22)</p> <p>$\frac{3}{4}$ Verification of Installation of Ignition Interlock Device (DL 920)</p> <p>$\frac{3}{4}$ Administrative Service Fee #1</p>	Yes/Optional	
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