



Nick Jordan, Secretary
Donna Shelite, Director of Vehicles

Department of Revenue

Sam Brownback, Governor

APPLICATION TO MODIFY SUSPENSION TO RESTRICTED IGNITION INTERLOCK DRIVING PRIVILEGES

You may apply to the Division of Vehicles for a determination on whether you are eligible to have your driving privilege suspension modified to a restriction to operating a motor vehicle equipped with an ignition interlock device for limited driving purposes. To be eligible for the modification, your driving privileges must be suspended for one year as provided in subsection (a), (b) or (c) of K.S.A. 2011 Supp. 8-1014, and amendments thereto. If your suspension results from refusal of a chemical test, after 90 days of such suspension, you may apply to the division for your driving privileges to be restricted.¹ If your suspension results from a test failure or alcohol or drug-related conviction, after 45 days of such suspension, you may apply to the division for your driving privileges to be restricted.²³ If your application is granted, the limitations associated with your ignition interlock privileges will permit vehicle operation for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

You will receive written notice of your application being approved or denied. If approved, you will be required to provide proof of installation of a State-approved ignition interlock device before a restricted driver's license is issued. If the application is denied, the reason(s) for the denial will be stated.

Section 1, Applicant Information

Name as it appears on your driver's license (please print):		
Date of Birth:		
Drivers License Number:		
Current Address (Note: if the address provided is different than the most recent address in the Division's records, this address will be considered a change of address, pursuant to K.S.A. 8-248, and your driving record will be updated).		
Street		
City	State	Zip Code

Are you requesting the Division of Vehicles to determine if and when you have served requisite number of suspension days and are eligible to operate a motor vehicle equipped with an ignition interlock device for limited driving purposes for the remainder of the one year suspension?

Yes

No

If your suspension springs from an arrest occurring prior to July 1, 2011, a form DC 1014 should accompany this request. See the Department of Revenue' website: <http://www.ksrevenue.org/pdf/dc1014.pdf>

Section 3. Acknowledgement

Applicant's Signature

Date

¹ See Sec. 17(a)(1) of House Substitute for SB 60 (2012).

² See Sec. 17(a)(2) of House Substitute for SB 60 (2012).

³ If a conviction and administrative refusal are reported for the same arrest, a 90 days of suspension will be required.

Section 4. Mailing Instructions

Applications must be made to the Central Office Operations, Division of Vehicles:

Central Office Operations, Division of Vehicles
 PO Box 12021
 915 SW Harrison St
 Topeka KS 66612-2021

For applications filed July 1, 2012 or after, the applicant must include the required payment of a \$100.00. Applicants are encouraged to make payment by money order, cashier’s check, or personal check. Checks or money orders should be made payable to the “Division of Vehicles.” Payment by cash is strongly discouraged. No refunds will be issued for applications that are: 1) made in error; 2) withdrawn or rescinded by the applicant; 3) that cannot be associated with a file or driver; or 4) denied by the Division based on criteria set out by law.

Section 5. Additional Information

1. Not all applicants will be eligible for modification from suspension to the restriction framework. Modification of the imposed suspension to restricted ignition interlock driving privileges will only apply to those applicants that are solely suspended or revoked for a DUI conviction, chemical test failure, or chemical test refusal.

Reasons for the denial of an application may include, but not be limited to, the following suspension types existing on the applicant's record: 1) failure to appear in court on a traffic citation; 2) conviction for failure to maintain required liability insurance coverage on a vehicle at the time of an accident or traffic stop; 3) failure to file or maintain evidence of liability insurance on record with the Driver Control Bureau; 4) failure to comply with a child support order; 5) conviction for driving while suspended; 5) conviction of reckless driving; 6) conviction for failure to stop and render aid in some circumstances; 7) previous or subsequent DUI conviction or test failure; 8) Previous or subsequent Refusal conviction or test refusal; 9) out of state suspension; and/or 10) determined to be a habitual violator.

2. Proof of the installation of the Ignition Interlock device, for the entire period required by the applicable law, shall be provided to the Division before the person’s driving privileges will be fully reinstated.⁴ Reinstatement requirements relating to, but not limited to, retesting, reinstatement fees, and proof of insurance also remain as pre-requisites to full re-instatement. Please be advised, any time spent serving a restriction to ignition interlock with limited driving privileges counts towards required suspension time and does not count towards unrestricted ignition interlock periods that follow the suspension period.
3. If you are a commercial licensed driver and your commercial driving privileges are currently disqualified, the modification and restriction will only apply toward your regular driving privileges. Your commercial driving privileges will remain disqualified.
4. For first occurrences, limited ignition interlock driving privileges shall permit operation with an ignition interlock device and only under circumstances provided by subsections (a)(1), (2), (3), and (4) of K.S.A. 8-292. For second or subsequent occurrences, limited ignition interlock driving privileges shall permit operation with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

Section 6. Suspension and Ignition Interlock Periods Beginning July 1, 2012

Table 1 - Chemical Test Failure (alcohol level under .15) and DUI Conviction

Occurrence	Suspension	Restriction to driving with ignition interlock device
1st *	30 days*	6 months or 1 year
2 nd	1 year	1 year
3 rd	1 year	2 years
4th	1 year	3 years
5th or subsequent	1 year	10 years

Table 2 - Chemical Test Failure (alcohol level .15 or greater)

Occurrence	Suspension	Restriction to driving with ignition interlock device
1st	1 year	1 year
2nd	1 year	2 years
3rd	1 year	3 years
4th	1 year	4 years
5th or subsequent	1 year	10 years

Table 3 - Refusal of an Evidentiary Chemical Test

Occurrence	Suspension	Restriction to driving with ignition interlock device
1st	1 year	2 year
2nd	1 year	3 years
3rd	1 year	4 years
4th	1 year	5 years
5th or subsequent	1 year	10 years

⁴ See New Sec. 17 of House Substitute for SB 60 (2012).
 DC 1015 (rev. 07/12)