

REFERENCE TITLE: ignition interlock devices; violation; classification

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2886

Introduced by
Representative Volk

AN ACT

AMENDING SECTION 28-1464, ARIZONA REVISED STATUTES; RELATING TO IGNITION INTERLOCK DEVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-1464, Arizona Revised Statutes, is amended to
3 read:

4 28-1464. Ignition interlock devices; violations;
5 classification; definition

6 A. Except in cases of a substantial emergency, a person shall not
7 knowingly rent, lease or lend a motor vehicle to a person whose driving
8 privilege is limited pursuant to section 28-1381, 28-1382, 28-1383 or
9 28-3319 or restricted pursuant to section 28-1402 unless the motor vehicle
10 is equipped with a functioning certified ignition interlock device. A
11 PERSON WHO KNOWINGLY LENDS A MOTOR VEHICLE IN VIOLATION OF THIS SUBSECTION
12 AND THE MOTOR VEHICLE WAS INVOLVED IN A COLLISION THAT RESULTED IN DEATH
13 OR SERIOUS PHYSICAL INJURY AS DEFINED IN SECTION 13-105 IS GUILTY OF A
14 CLASS 6 FELONY.

15 B. A person whose driving privilege is limited pursuant to section
16 28-1381, 28-1382, 28-1383 or 28-3319 or restricted pursuant to section
17 28-1402 and who rents, leases or borrows a motor vehicle from another
18 person shall notify the person who rents, leases or lends the motor
19 vehicle to the person that the person has specific requirements for the
20 operation of the motor vehicle and the nature of the requirements.

21 C. During any period when a person whose driving privilege is
22 limited pursuant to section 28-1381, 28-1382, 28-1383 or 28-3319 or
23 restricted pursuant to section 28-1402 is required to operate only a motor
24 vehicle that is equipped with a certified ignition interlock device, the
25 person shall not request or ~~permit~~ ALLOW any other person to breathe into
26 the ignition interlock device or start a motor vehicle equipped with an
27 ignition interlock device for the purpose of providing the person with an
28 operable motor vehicle.

29 D. A person shall not breathe into an ignition interlock device or
30 start a motor vehicle equipped with an ignition interlock device for the
31 purpose of providing an operable motor vehicle to a person whose driving
32 privilege is limited pursuant to section 28-1381, 28-1382, 28-1383 or
33 28-3319 or restricted pursuant to section 28-1402.

34 E. A person whose driving privilege is limited pursuant to section
35 28-1381, 28-1382, 28-1383 or 28-3319 or restricted pursuant to section
36 28-1402 shall not tamper with or circumvent the operation of an ignition
37 interlock device.

38 F. A person who is not an ignition interlock service provider or an
39 agent or subcontractor of an ignition interlock service provider and who
40 is not a person whose driving privilege is limited pursuant to section
41 28-1381, 28-1382, 28-1383 or 28-3319 or restricted pursuant to section
42 28-1402 shall not tamper with or circumvent the operation of an ignition
43 interlock device.

1 G. Except in cases of substantial emergency, a person whose driving
2 privilege is limited pursuant to section 28-1381, 28-1382, 28-1383 or
3 28-3319 or restricted pursuant to section 28-1402 shall not operate a
4 motor vehicle without a functioning certified ignition interlock device
5 during the applicable time period.

6 H. If the ignition interlock device is removed from a vehicle by an
7 ignition interlock service provider, the ignition interlock manufacturer
8 shall electronically notify the department in a form prescribed by the
9 department that the ignition interlock device has been removed from the
10 vehicle.

11 I. If ~~the~~ A person does not provide evidence to the department
12 within seventy-two hours that the person has installed a functioning
13 certified ignition interlock device in each vehicle operated by the person
14 and has provided proof of installation to the department, the department
15 shall suspend the special ignition interlock restricted driver license or
16 privilege as prescribed in section 28-1463.

17 J. A person who is ordered by the court or required by the
18 department pursuant to section 28-3319 to equip any motor vehicle the
19 person operates with a certified ignition interlock device shall while
20 under arrest submit to any test chosen by a law enforcement officer
21 pursuant to section 28-1321, subsection A.

22 K. A person who violates this section is guilty of a class 1
23 misdemeanor EXCEPT FOR A PERSON WHO KNOWINGLY LENDS A MOTOR VEHICLE TO A
24 PERSON IN VIOLATION OF SUBSECTION A OF THIS SECTION AND THE MOTOR VEHICLE
25 WAS INVOLVED IN A COLLISION THAT RESULTED IN DEATH OR SERIOUS PHYSICAL
26 INJURY AS DEFINED IN SECTION 13-105 IS GUILTY OF A CLASS 6
27 FELONY. Additionally, if a person is convicted of violating subsection B,
28 C, E or G of this section, the department shall extend the duration of the
29 certified ignition interlock device requirement for not more than one
30 year.

31 L. For the purposes of this section, "substantial emergency" means
32 that a person other than the person whose driving privilege is limited
33 pursuant to section 28-1381, 28-1382, 28-1383 or 28-3319 or restricted
34 pursuant to section 28-1402 is not reasonably available to drive in
35 response to an emergency.