



Victoria Government Gazette

No. S 382 Tuesday 21 October 2014
By Authority of Victorian Government Printer

Road Safety Act 1986

ALCOHOL INTERLOCK GUIDELINES

In accordance with section 50AAG of the **Road Safety Act 1986**, VicRoads makes the following guidelines for the approval of alcohol interlocks and alcohol interlock suppliers, the installation and maintenance of alcohol interlocks and the keeping of records relating to the collection of cost recovery fees.

PART 1 – PRELIMINARY

1 Purpose

The purpose of this document is to set out:

- (a) guidelines for the approval of alcohol interlocks; and
- (b) guidelines for the approval of suppliers of alcohol interlocks; and
- (c) guidelines for the installation and maintenance of approved alcohol interlocks; and
- (d) guidelines for the records to be kept by suppliers relating to the collection of cost recovery fees payable under section 50AACA of the **Road Safety Act 1986** ('RSA') and their payment to VicRoads.

2 Background

- (1) Section 50AAG of the RSA authorises VicRoads to issue guidelines for certain purposes. Guidelines must be tabled in each House of Parliament and published in the Victoria Government Gazette.
- (2) The guidelines contained in Part 2 of this document will be applied by VicRoads in considering whether to approve a type of alcohol interlock or a version of a type of alcohol interlock (see section 50AAE(4) of the RSA).
- (3) The guidelines contained in Part 3 of this document will be applied by VicRoads in considering whether to approve a person or body as an alcohol interlock supplier (see section 50AAE(7) of the RSA).
- (4) The guidelines contained in Part 4 of this document establish the procedures for installation and maintenance of approved alcohol interlocks. The ability of a person or body to comply, and record its compliance, with these guidelines is one of the matters which VicRoads will take into account in determining whether to approve that person or body as an alcohol interlock supplier (see section 50AAE(5)(f) of the RSA).
- (5) The guidelines contained in Part 5 of this document establish the records to be kept by alcohol interlock suppliers relating to the collection of cost recovery fees payable under section 50AACA of the RSA and their payment to VicRoads (see section 50AAG(1)(ba)).
- (6) VicRoads must specify in the approval of an alcohol interlock supplier that it is a condition of the approval that the supplier must comply with guidelines 16(1)-(3) and Parts 4 and 5 of the guidelines (see section 50AAF(2)(a)).

3 Authorising provision

These guidelines are made under section 50AAG of the RSA.

4 Commencement

These guidelines come into operation on the day that they are published in the Victoria Government Gazette.

5 Revocation

The instrument entitled 'Alcohol interlock guidelines' published in the Victoria Government Gazette (Special Gazette No. S 81) on 5 May 2003 is revoked.

SPECIAL

6 Definitions

- (1) Where a term used in these guidelines is defined in the RSA, it will have the same meaning as it is given in that Act.
- (2) Other terms used in these guidelines have the following meanings:

‘Alcohol Interlock Management System’ means the system managed by or on behalf of VicRoads that facilitates the management of participants, including the storing of and access to records relating to compliance by participants with the prescribed alcohol interlock usage data requirements specified in regulation 37B of the Road Safety (Drivers) Regulations 2009;

‘approval’ means an approval under section 50AAE of the RSA;

‘BAC’ means breath alcohol concentration;

‘eligible concession holder’ means a person who is entitled to concessions to assist with the cost of installation and regular maintenance of an approved alcohol interlock under the RSA or regulations under that Act and has presented, on each occasion a concessional price is sought, a current concession card issued in the name of that person to the approved alcohol interlock supplier or a person or body authorised by the approved alcohol interlock supplier to install or maintain the relevant alcohol interlock;

Note

See regulation 114A of the Road Safety (Drivers) Regulations 2009.

‘JAS-ANZ’ means the Joint Accreditation System of Australia and New Zealand;

‘lock out’ means a period during which an alcohol interlock will not permit a vehicle motor to be started, even if a breath sample containing no alcohol is provided;

‘maintenance’, in relation to an alcohol interlock, includes the inspection and calibration of the alcohol interlock, and the recording of information about the use of the alcohol interlock, and ‘maintain’ has a corresponding meaning;

‘participant’ means a person whose driver licence or learner permit is subject to an alcohol interlock condition as defined in section 3 of the RSA;

‘permanent lock out’ means a lock out that continues until the alcohol interlock is returned to the supplier for maintenance;

‘retest’, in relation to a motor vehicle fitted with an alcohol interlock, means a breath alcohol test performed after the vehicle motor has started;

‘Road Safety (Drivers) Regulations 2009’ includes any statutory rule re-making (with or without modification) the Road Safety (Drivers) Regulations 2009;

‘Road Safety (Vehicles) Regulations 2009’ includes any statutory rule re-making (with or without modification) the Road Safety (Vehicles) Regulations 2009;

‘RSA’ means the **Road Safety Act 1986**;

‘supplier’ means a person or body that is authorised under section 50AAE of the RSA to supply alcohol interlocks;

‘temporary lock out’ means a lock out that applies for a predefined period of either 5 or 30 minutes as the case requires;

‘VicRoads’ means the Roads Corporation within the meaning of section 3 of the **Transport Integration Act 2010**;

‘VSI’ means Vehicle Standard Information.

Note

Vehicle Standard Information sheets apply to vehicles registered in Victoria. Modifications to vehicles have the potential to adversely affect a vehicle’s compliance with the Standards for Registration, its structural integrity, the operation of its safety systems or its handling characteristics. It is for this reason that regulation 257 of the Road Safety (Vehicles) Regulations 2009 states that a person must not use on a highway a modified vehicle unless the modification has been approved by VicRoads or has been carried out in accordance with guidelines published by VicRoads.

PART 2: GUIDELINES FOR APPROVAL OF TYPES OF ALCOHOL INTERLOCKS OR VERSIONS OF TYPES OF ALCOHOL INTERLOCKS**7 Certification – European Standard**

- (1) In considering whether to approve a type of alcohol interlock or a version of a type of alcohol interlock, VicRoads will require the alcohol interlock to be certified as complying with BS EN 50436-1 ‘Alcohol interlocks – Test methods and performance requirements, Part 1: Instruments for drink-driving-offender programs’ (published by BSI Standards Limited on 31 January 2014) as amended from time to time.
- (2) That certification must be obtained from:
 - (a) a certification body that is accredited or approved by JAS-ANZ where the certification is based on test results obtained from:
 - (i) an independent laboratory that is accredited according to International Standard ISO/IEC 17025 ‘General requirements for the competence of testing and calibration laboratories’ as amended from time to time and the scope of that accreditation must include breath alcohol measuring instruments; or
 - (ii) an independent laboratory that is designated by the International Organization of Legal Metrology (OIML) to perform tests according to OIML R 126 ‘Evidential breath analysers’ (as amended from time to time); or
 - (b) an independent laboratory referred to in guideline 7(2)(a)(i) or (a)(ii).

8 Certification – Victorian Requirements

- (1) In considering whether to approve a type of alcohol interlock or a version of a type of alcohol interlock, VicRoads will require the alcohol interlock to be certified as:
 - (a) complying with the technical requirements specified in Part A of the Schedule; and
 - (b) able to be configured to meet the requirements specified in Part B of the Schedule.
- (2) That certification must be obtained from an independent laboratory that is accredited or approved by JAS-ANZ.

9 Driver identification feature

If a type of alcohol interlock or a version of a type of alcohol interlock uses a means other than a digital camera to record the identity of the person starting or attempting to start the vehicle, in considering whether to approve that type of alcohol interlock, VicRoads will require:

- (a) the means of recording the identity information and the transmission of that information to and from the Alcohol Interlock Management System to not cause an undue financial burden on VicRoads or any other government agency or person (for example, due to potential system reconfiguration costs); and
- (b) the identity information to:
 - (i) be suitable for inclusion in reports presented to courts; and
 - (ii) not require explanation by way of expert evidence; and
 - (iii) not require lengthy consideration in court.

10 Reporting requirements

In considering whether to approve a type of alcohol interlock or a version of a type of alcohol interlock, VicRoads will require the alcohol interlock to collect sufficient information to enable the preparation of:

- (a) progress reports for participants as required by VicRoads; and
- (b) any reports required under Part 5 of the RSA; and
- (c) any other reports required by VicRoads, the courts or an accredited agency in relation to the operation, management or evaluation of the Victorian Alcohol Interlock Program.

PART 3: GUIDELINES FOR APPROVAL OF ALCOHOL INTERLOCK SUPPLIERS

11 Status and resources of supplier, supplier's agents and persons or bodies authorised by supplier

For the purpose of enabling VicRoads to consider the matters referred to in section 50AAE(5) of the RSA and other relevant matters for consideration, the following information must be included with every application for approval as an alcohol interlock supplier:

- (a) Australian Company Number (ACN), if the applicant is incorporated; and
- (b) Australian Business Number (ABN), if the applicant is not incorporated; and
- (c) an overview of the applicant's organisational structure, including:
 - (i) in the case of companies, names and backgrounds of directors and details of parent and subsidiary companies and any other people who will be involved in the supply, installation and maintenance of approved alcohol interlocks; and
 - (ii) in the case of non-incorporated bodies, names and backgrounds of the principals, partners, office holders and any other people who will be involved in the supply, installation and maintenance of approved alcohol interlocks; and
- (d) details of the alcohol interlock device or devices that the applicant intends to supply, install and maintain (including, for any device that is not yet approved, evidence of certification in respect of that device in accordance with guidelines 7 and 8); and
- (e) evidence that the applicant has management experience and expertise in operating an alcohol interlock program or similar service; and
- (f) evidence that the applicant has sufficient financial resources to operate as an alcohol interlock supplier; and
- (g) evidence that the applicant holds, or upon approval being granted will be able to obtain, all insurance required to be held as a condition of approval; and
- (h) names and addresses, and relevant qualifications and experience, of any persons or bodies whom the applicant intends to use or authorise to install or maintain approved alcohol interlocks (irrespective of whether they are employees, agents, contractors or subcontractors of the applicant and irrespective of whether they are employees, agents, contractors or subcontractors of the applicant's contractors or subcontractors); and
- (i) National Police Certificates or equivalent criminal record checks for:
 - (i) the applicant (where the applicant is a natural person); and
 - (ii) all directors of the corporation (where the applicant is a corporation); and
 - (iii) all employees of the applicant whom the applicant intends to use or authorise to install or maintain approved alcohol interlocks or to manage the delivery of alcohol interlock services; and
- (j) a statement specifying that:
 - (i) National Police Certificates or equivalent criminal record checks have been obtained for all persons referred to in paragraph (h) (other than those referred to in paragraph (i)); and
 - (ii) on the basis of those certificates or criminal record checks and any other information available to the applicant, it is the opinion of the applicant that all of those persons are fit and proper persons to install and maintain approved alcohol interlocks; and

- (iii) the National Police Certificates or equivalent criminal record checks that were obtained will be made available for inspection by VicRoads upon request; and
- (k) evidence that the applicant will be able to supply alcohol interlock usage data to the Alcohol Interlock Management System in accordance with VicRoads operational requirements.

12 Accessibility

In having regard to the arrangements and standards the applicant has in place for installing and maintaining approved alcohol interlocks, including in rural areas, VicRoads will have regard to whether:

- (a) the applicant and/or the applicant's agent(s) have facilities or equipment (which may include mobile vans) that will enable the applicant to install, maintain and remove approved alcohol interlocks within 150 kilometres by road of any participant's normal place of residence or employment in Victoria; and
- (b) the cost proposed to be charged by the applicant for the installation and maintenance of an approved alcohol interlock is the same for metropolitan and rural participants; and
- (c) the applicant's services in relation to the installation and maintenance of approved alcohol interlocks will be available by appointment:
 - (i) during normal business hours (9 am to 5 pm weekdays excluding public holidays); and
 - (ii) if the hours of operation of the applicant or the applicant's agents extend beyond normal business hours, during those additional hours of operation; and
- (d) the applicant will provide a 24 hour, 7 day help line to deal with approved alcohol interlock faults and issues with device operation.

13 Relationship between supplier and participant

In having regard to the arrangements and standards the applicant has in place for installing and maintaining approved alcohol interlocks, VicRoads will take into account the form of agreement proposed to be used by the supplier to document the relationship between the supplier and participants, and in particular, whether the agreement:

- (a) is in a standard format that will be used for all participants; and
- (b) clearly itemises each of the services offered by the supplier and the fee to be charged in respect of each service (including cost recovery fees as required by section 50AACA of the RSA); and
- (c) clearly specifies the conditions the participant must agree to before having an approved alcohol interlock installed; and
- (d) specifies the circumstances in which the participant is responsible for repairs or maintenance because of, for example, misuse, vandalism or a motor vehicle accident; and
- (e) specifies when a participant is entitled to pay:
 - (i) a concessional price for services related to the installation and maintenance of an approved alcohol interlock (other than those costs incurred in relation to the repair or maintenance of the approved alcohol interlock for which the participant is responsible because of, for example, misuse, vandalism or a motor vehicle accident); and
 - (ii) a concessional price for cost recovery fees; and
- (f) procures such consent of the participant as is necessary to enable the supplier to provide personal information about the participant to VicRoads, Victoria Police, the courts and an accredited agency for the purpose of administering the RSA, these guidelines and the conditions of approval that VicRoads has imposed on the supplier.

14 Quality assurance systems

For the purpose of enabling VicRoads to consider the matters referred to in section 50AAE(5) of the RSA, it will have regard to whether the applicant has in place a quality assurance system that is in accordance with the requirements of Australian/New Zealand Standard AS/NZS ISO 9001 'Quality management systems – Requirements', as amended from time to time.

15 Handling complaints

In having regard to whether the applicant has adequate arrangements for the handling of complaints, VicRoads will consider whether the applicant has in place a complaint management and resolution system that is in accordance with the requirements of Australian Standard AS ISO 10002 'Customer satisfaction – Guidelines for complaints handling in organizations', as amended from time to time.

16 Concessions

- (1) An approved alcohol interlock supplier must charge a participant who is an eligible concession holder at least \$50 per month less than the cost charged to other participants for:
 - (a) installation of an approved alcohol interlock; and
 - (b) every maintenance service of the approved alcohol interlock.
- (2) The concessions referred to in guideline 16(1) are not applicable:
 - (a) to costs incurred by a participant in relation to the repair or service of an approved alcohol interlock for which the participant is liable because of, for example, misuse, vandalism or a motor vehicle accident; or
 - (b) where the eligible concession holder is already receiving concessions in respect of another approved alcohol interlock.
- (3) For the purposes of section 50AAE(6) of the RSA, VicRoads will not approve a person or body as an alcohol interlock supplier unless satisfied that the person or body will charge a participant who is an eligible concession holder a concessional rate for installation and maintenance fees as required by guidelines 16(1) and (2).
- (4) For the purpose of enabling VicRoads to consider the matters referred to in section 50AAE(5), it will have regard to whether the applicant will charge a participant who is an eligible concession holder a concessional rate of the cost recovery fee (in accordance with section 50AAKA(3)(e) of the RSA and regulation 111A of the Road Safety (Drivers) Regulations 2009, whether or not that regulation has commenced operation).

PART 4: GUIDELINES FOR INSTALLATION AND MAINTENANCE OF APPROVED ALCOHOL INTERLOCKS**17 Device installation and labelling**

- (1) Upon installation of an approved alcohol interlock:
 - (a) a clearly visible label must be securely attached adjacent to vehicle battery or in the engine bay of the relevant vehicle that includes:
 - (i) a warning that an approved alcohol interlock has been installed in the vehicle; and
 - (ii) the contact details of the relevant supplier; and
 - (iii) an instruction requiring the supplier to be notified before any mechanical work is commenced if the proposed mechanical work requires the disconnection of the vehicle battery for more than 20 minutes; and
 - (b) if the installed approved alcohol interlock has a driver identification function (e.g. digital camera), a clearly visible label must be securely attached within the vehicle cabin describing that function in a format approved by VicRoads; and

- (c) the unique serial number of the approved alcohol interlock must be recorded so that it can be associated with the participant to whom the approved alcohol interlock has been supplied.
- (2) The placement of any part of the approved alcohol interlock must not distract or impede the driver in any manner from the safe and legal operation of the vehicle and the method of installation must comply with:
 - (a) VSI 8 – ‘Guide to Modifications for Motor Vehicles’, October 2011, as amended from time to time (see in particular Part 9.3 – Protrusions); and
 - (b) VSI 29 – ‘Drivers Field of View Requirements’, January 2000, as amended from time to time.
- (3) Upon installation of a digital camera-equipped approved alcohol interlock, a reference photograph of the participant, seated in the relevant vehicle, must be recorded by the supplier so that subsequent digital photographs can be cross-referenced against it.
- (4) Upon installation of an approved alcohol interlock that uses a means other than a digital camera to record the identity of the person starting or attempting to start the vehicle, reference identity information of the participant must, if applicable, be recorded by the supplier so that subsequent identity checks can be cross-referenced against it.
- (5) The installation of the approved alcohol interlock must not interfere with any occupant protection features of the vehicle, such as seat belts and airbags.
- (6) The installed approved alcohol interlock must be configured in a manner that is consistent with the requirements specified in the Schedule.

18 Fee collection

- (1) Except as provided in guideline 16(2), a supplier must charge a participant who is an eligible concession holder at least \$50 per month less than the cost charged to other participants for:
 - (a) installation of an approved alcohol interlock; and
 - (b) every maintenance service of the approved alcohol interlock.
- (2) A supplier must charge a participant who is an eligible concession holder the concessional rate of the cost recovery fee (when the supplier is required to collect such a fee and when a concession rate has been specified under the Road Safety (Drivers) Regulations 2009).
- (3) If a participant is not an eligible concession holder, the supplier must charge the participant the full rate of the cost recovery fee (when the supplier is required to collect such a fee and when a full rate has been specified under the Road Safety (Drivers) Regulations 2009).

19 Maintenance of approved alcohol interlocks

- (1) The approved alcohol interlock is to be programmed to require the participant to return the vehicle for maintenance every month following installation. Longer intervals are only permitted if the supplier obtains the written consent of VicRoads.
- (2) During each maintenance visit, the information recorded by the approved alcohol interlock must be recorded in a secure manner, in encrypted form.
- (3) The supplier must repair an approved alcohol interlock or rectify any device fault:
 - (a) as soon as possible, if a fault is detected during a scheduled maintenance; or
 - (b) otherwise within three business days of being advised of the fault.

20 Retention of maintenance records

A comprehensive and auditable log of all maintenance that is performed on an approved alcohol interlock is to be maintained in a secure manner for the period specified in the conditions of approval of the relevant alcohol interlock supplier.

PART 5: GUIDELINES FOR RECORD KEEPING RELATING TO COST RECOVERY FEES**21 Records**

The records to be kept relating to the collection of cost recovery fees under section 50AACA of the RSA and their payment to VicRoads must satisfy the following requirements:

- (a) the records relating to the payment and collection of cost recovery fees from each participant must be kept separately; and
- (b) for each separate payment received from or on behalf of a participant, the following details must be recorded:
 - (i) amount received; and
 - (ii) date of receipt; and
 - (iii) whether the participant was an eligible concession holder; and
- (c) for each separate payment made by or on behalf of an alcohol interlock supplier to VicRoads of collected cost recovery fees, the following details must be recorded:
 - (i) amount paid; and
 - (ii) date of payment; and
 - (iii) method of payment; and
- (d) all of the records must be kept for the period specified in the conditions of approval of the alcohol interlock supplier.

Dated 20 October 2014

JOHN MERRITT
Chief Executive
VicRoads

SCHEDULE – MATTERS REQUIRING CERTIFICATION**Part A – Technical Specifications****1 Driver identification feature**

- (1) The alcohol interlock must, when installed in a vehicle (other than a motor cycle or motor trike) be capable of clearly recording the identity of a person starting or attempting to start the vehicle.
- (2) The driver identification function must operate in all lighting conditions (including extreme brightness, darkness and low light conditions).
- (3) Where an alcohol interlock uses a digital camera to record the identity of the driver, the recorded digital photograph must:
 - (a) have a minimum resolution of 640 pixels (width) and 480 pixels (height); and
 - (b) on average, have a file size that is no greater than 100 kilobytes; and
 - (c) be in JPEG format (or be able to be converted to JPEG format).
- (4) Where an alcohol interlock uses a means other than a digital camera to record the identity of the driver, the means of recording the identity of the driver must be at least as reliable and effective as a digital camera.

2 Self-calibration not permitted

The alcohol interlock must require manual calibration and must not be self-calibrating (or it must be possible to disable any self-calibration function).

3 Wireless handset communication not permitted

The alcohol interlock handset must not include a wireless communication feature (or it must be possible to disable any wireless communication feature), if that feature would interfere with the effectiveness of any incorporated driver identification function (see section 4.13 of BS EN 50436-1).

4 Safety

- (1) The alcohol interlock must be designed so that it can be installed without presenting a danger to the vehicle's occupants or other road users. Without limiting the generality of this requirement, the alcohol interlock must not:
 - (a) interfere with the driver's control of the vehicle; or
 - (b) present a fire hazard; or
 - (c) interfere with any occupant protection features of the vehicle, such as seat belts and airbags.
- (2) The alcohol interlock must be designed so that it is possible to install the alcohol interlock in a vehicle in compliance with:
 - (a) VSI 8 – 'Guide to Modifications for Motor Vehicles', October 2011, as amended from time to time (see in particular Part 9.3 – Protrusions); and
 - (b) VSI 29 – 'Drivers Field of View Requirements', January 2000, as amended from time to time.

5 Data storage capacity

The alcohol interlock's internal memory must be sufficient to record collected data for a period of at least three months (including any driver identification data).

6 Internal power supply

The alcohol interlock must have an internal power supply which allows it to:

- (a) retain recorded events for at least 3 months should the main power supply from the vehicle be interrupted; and
- (b) record any interruption to the main power supply and the duration of any power loss.

7 Alcohol interlock must prevent vehicle start if not operating properly

If the alcohol interlock is unable to operate properly, it must not enable the vehicle to be started.

Part B – Configuration Requirements**8 Breath samples**

- (1) A breath alcohol concentration reading of 0.020 grams or more per 210 litres of exhaled air must be a failed test and must prevent the vehicle from starting.
- (2) The alcohol interlock must require a breath sample of at least 1.0 litre of exhaled air to be provided for the purpose of calculating a breath alcohol concentration reading.
- (3) The alcohol interlock must record breath alcohol concentrations (measured in grams per 210 litres of exhaled air) with at least 3 digits to the right of the decimal point.

9 Maintenance intervals

The alcohol interlock must be configured to schedule a maintenance service at monthly intervals.

10 Restart permitted if engine stopped in certain circumstances

When a vehicle engine stops, the alcohol interlock must permit the engine to be restarted within three minutes without the requirement to provide another breath sample (unless a lock out has been triggered).

Note

The purpose of having a short period during which it is possible to restart the engine without providing a breath sample is to allow for circumstances such as where the engine stalls or where the engine automatically shuts down to save fuel because the vehicle is stationary for a short period.

11 Driver identification

- (1) Where an alcohol interlock uses a digital camera to record the identity of the driver:
 - (a) the digital camera must produce a digital photograph of the head and upper torso of the driver; and

- (b) digital photographs of the driver must be captured:
 - (i) when the initial breath sample is being collected to start the vehicle; and
 - (ii) when a person performing a random retest provides a breath sample with a breath alcohol concentration reading of 0.020 grams or more per 210 litres of exhaled air; and
 - (iii) when a person fails to provide a breath sample after a random retest is requested (at the end of the 5 minute period the driver is given to provide a breath sample after the request for a random retest has been made); and
 - (c) the digital photographs must be recorded along with the corresponding time, date and BAC reading (if any).
- (2) Where an alcohol interlock uses a means other than a digital camera to record the identity of the driver:
- (a) the identity information must be recorded:
 - (i) when the initial breath sample is being collected to start the vehicle; and
 - (ii) when a person performing a random retest provides a breath sample with a breath alcohol concentration reading of 0.020 grams or more per 210 litres of exhaled air; and
 - (iii) when a person fails to provide a breath sample after a random retest is requested (at the end of the 5 minute period the driver is given to provide a breath sample after the request for a random retest has been made); and
 - (b) the identity information must be recorded along with the corresponding time, date and BAC reading (if any).

12 Retests

- (1) The alcohol interlock must request a random retest within:
- (a) 5 to 15 minutes after an initial test in which a pass was obtained and the vehicle engine started; and
 - (b) 15 to 60 minutes after the previous random retest in which a pass was obtained.
- (2) The alcohol interlock must allow 5 minutes for the driver to perform a breath test after the request for a random retest has been made and if the test is not performed within 5 minutes of being requested to do so or a breath sample is provided with a breath alcohol concentration reading of 0.020 grams or more per 210 litres of exhaled air:
- (a) the alcohol interlock must trigger the vehicle horn or alarm to sound and the vehicle lights to flash; and
 - (b) if the engine stops (but is not turned off) and is restarted in accordance with guideline 10, the vehicle horn or alarm must continue sounding and the vehicle lights must continue flashing until:
 - (i) the engine is turned off; or
 - (ii) in the case of a missed retest, until a breath sample with a breath alcohol concentration reading of less than 0.020 grams per 210 litres of exhaled air is provided; and
 - (c) when the engine is turned off, the alcohol interlock must enter into a temporary lock out for 30 minutes.
- (3) The requirements under guideline 12(2) (to trigger the vehicle horn or alarm to sound and the vehicle lights to flash) shall not apply when the alcohol interlock is installed in a vehicle or in a vehicle type that is specified by VicRoads for the purposes of this guideline.

13 Temporary lock out

- (1) Subject to guideline 13(2), the alcohol interlock must enter into a temporary lock out for 5 minutes after a breath alcohol concentration reading of 0.020 grams or more per 210 litres of exhaled air is recorded in a breath sample provided by a person who is attempting to start the vehicle.
- (2) The alcohol interlock must enter into a temporary lock out for 30 minutes where the alcohol interlock records a subsequent failed test due to a breath alcohol concentration reading of 0.020 grams or more per 210 litres of exhaled air in a breath sample provided by a person who is attempting to start the vehicle (where that subsequent failed test occurred within 30 minutes of the most recent failed test).

14 Permanent lock out

The alcohol interlock must enter into a permanent lock out, after a seven day interval during which a count down warning is displayed, if:

- (a) the alcohol interlock is not maintained at a scheduled maintenance service; or
 - (b) the vehicle has been started without providing a breath test; or
 - (c) the alcohol interlock detects tampering or circumvention; or
 - (d) the alcohol interlock detects 5 missed random retests; or
 - (e) the alcohol interlock detects 2 random retests that fail due to the detection of breath alcohol concentration readings of 0.020 grams or more per 210 litres of exhaled air; or
 - (f) the alcohol interlock's internal memory is close to full capacity; or
 - (g) a device fault is detected (and the interlock device is able to enter into a permanent lock out after a seven day interval during which a count down warning is displayed).
-

bluestar * **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2014

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria

Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order



**Retail &
Mail Sales**

Victoria Government Gazette
Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001



Telephone

(03) 8523 4601



Fax

(03) 9600 0478

email

gazette@bluestargroup.com.au

Price Code A