



IGNITION INTERLOCK MANUFACTURER APPLICATION FOR DEVICE CERTIFICATION

☐ ORIGINAL

☐ RENEWAL

MANUFACTURER'S NAME (as legally established)			
MAILING ADDRESS			STATE OF BUSINESS FILING
CITY	STATE	ZIP	VALIDATION NUMBER ON CERTIFICATE OF GOOD STANDING
BUSINESS TYPE (check one) ☐ Individual ☐ Partnership ☐ Corporation ☐ LLC (Limited Liability Company) ☐ Other (please identify): _____			
CONTACT PERSON NAME (first, middle, last)			TITLE
E-MAIL ADDRESS		PHONE NUMBER	FAX NUMBER

A separate application is required for each device

IGNITION INTERLOCK DEVICE NAME	MODEL NUMBER
NAME UNDER WHICH DEVICE WILL BE MARKETED	

OHIO SECRETARY OF STATE REQUIREMENTS

REGISTERED WITH OHIO SECRETARY OF STATE ☐ Yes ☐ No	ENTITY NUMBER
BUSINESS NAME	ORIGINAL FILING DATE

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SECTION 1. EFFECTIVE DATE AND DEFINITIONS

A manufacturer of an ignition interlock device shall first have a license issued by the Ohio Department of Public Safety (ODPS), and then shall have each ignition interlock device certified by the ODPS Director, before the manufacturer leases, sells, or otherwise uses its ignition interlock device(s) in the State of Ohio. Each device certification shall be renewed annually.

The definitions contained in Ohio Administrative Code (O.A.C.) Rule 4501-45-01, shall define the terms contained in this Application for Certification (hereinafter "application").

SECTION 2. CERTIFICATION REQUIREMENTS

If a manufacturer files an incomplete application, if all required documentation is not provided with a completed application, or if the certification fee is not included with the completed application and documentation, the ODPS Director will not approve the application. Information regarding the denial of the application will be provided to the contact person identified in the manufacturer's application.

The manufacturer shall have thirty (30) days within which to re-submit a fully completed application with all required documentation, if required by the director. If the completed application and all required documents are not received by the ODPS Director within the thirty (30) day time period, the application will be deemed denied. In such case, the manufacturer will be required to begin the certification process anew pursuant to O.A.C. Rule 4501-45-04(D).

A. O.A.C. SECTION 4501-45-04 REQUIREMENTS

I certify, by my initials on the line next to each requirement, that I have attached the required documents for the ignition interlock device (hereinafter "IID") which is the subject of this original application:

- _____ A complete list of the manufacturer's authorized installers of the IID in this State, to include the business name, business address, contact person, contact phone number, and e-mail address.
- _____ A sample warning label, and all documents instructing authorized installers to conspicuously affix the warning label on each IID upon installation in a motor vehicle. The warning label shall state: "Any person tampering, circumventing, or otherwise misusing this device is subject to a fine, imprisonment, or both and may be subject to civil liability".
- _____ All documents, and written summaries of oral instructions, given to users/operators of the IID addressing use, data recording and collection, breath testing, lock-outs, tampering, circumvention, security features, servicing, repair, and removal of the IID.
- _____ A complete copy of the testing protocol, and results thereof, conducted by the independent testing laboratory which issued the certificate identified above. If previously submitted, indicate date submitted _____.
- _____ Camera installed on device.
- _____ The operator's manual, or similar set of written instructions, and all documents and written summaries of all oral instructions provided to the manufacturer's installers addressing the following:
 1. A detailed description of the IID, including a photograph, drawing or other depiction of the IID;
 2. The technical specifications for the IID, including but not limited to the accuracy, reliability and security features of the IID;
 3. The specific steps required to install the IID in a motor vehicle;
 4. All aspects of the operation of the IID including, but not limited to, breath testing and lock-outs;
 5. Service and calibration of the IID;
 6. Data recording and collection of data features of the IID;
 7. Data recording and collection of data features of the IID;
 8. Repairs to the IID; and
 9. Removal of the IID from a motor vehicle.

The following documentation shall be submitted as part of both the original and renewal application for certification of an ignition interlock device by a manufacturer:

_____ A copy of the Manufacturer's Certificate of Product Liability Insurance which:

1. Identifies the manufacturer;
2. Identifies the coverage as product liability insurance covering defects in manufacture, materials, design, calibration, installation, operation, service, repair, and removal of the IID;
3. Identifies ODPS as an "Additional Insured" and "Certificate Holder";
4. Identifies the policy number;
5. States a policy limit of at least one million dollars per occurrence
6. States the effective date and the expiration date of the policy; and
7. States that if the policy is cancelled before the expiration date, the issuing insurer will provide written notice to ODPS at least thirty days before cancellation of the policy.

_____ A certificate from an independent testing laboratory indicating that the IID meets or exceeds the NHTSA standards set forth in Volume 78, No. 89 of the Federal Register on May 8, 2013 (78 F.R. 26849, 2013), or any modifications thereto.

B. CRIMINAL HISTORY CHECKS

I certify, by my initials on the line next to this section, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms set forth below:

_____ The manufacturer is responsible for obtaining a criminal background check for any person identified in the manufacturer's application for certification who is an agent, employee, contractor, or installer, who works in the state of Ohio. The criminal background check shall be obtained within two weeks of beginning to provide the specified services and at least every three years thereafter. Criminal background checks may be obtained by any reasonable source determined by the manufacturer. Upon request of the department, the criminal background check of any person may include a request to the bureau of criminal identification and investigation to conduct a criminal record check that includes information from the federal bureau of investigation. The manufacturer shall pay all costs for the criminal background check. The criminal background check shall be submitted to the department and not be dated more than forty-five days from the request.

C. CERTIFICATION FEE

I certify, by my initials on the line next to this section, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms set forth below:

_____ The manufacturer shall pay a certification fee of one hundred dollars (\$100.00) in the form of a check or money order, payable to Ohio Treasurer of State. A certification fee shall be paid with each application filed with the ODPS Director. The certification fee is non-refundable. If the manufacturer files an incomplete application with the ODPS Director, and/or fails to file all required documentation as set forth in Section 2A above, the certification fee will be forfeited.

A separate and complete application shall be filed for each IID, model or type, differing in any aspect, which the manufacturer intends to lease, sell, or otherwise use in this state.

SECTION 3. LIABILITY AGREEMENT

I certify, by my initials on the line next to this section, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms set forth below:

_____ The manufacturer agrees to indemnify and hold the State of Ohio, ODPS, the ODPS Director, and any division, office, agency, administrator, employee, or agent of the State of Ohio, harmless from all liability, including but not limited to, all expenses of litigation, damages, reasonable attorney fees, and court costs, for damage to property and injury to any person arising, directly or indirectly, out of any act or omission by the manufacturer, its owners, officers, directors, partners, members, agents, employees, contractors, and/or installers relating to the use of the IID which is the subject of this application.

SECTION 4. COMPLIANCE AND COOPERATION AGREEMENT

I certify, by my signature below, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms and agreements set forth in this application. I certify, on behalf of the manufacturer, that the information in this application, and all documents attached hereto, is true and accurate.

Upon receipt of certification, the manufacturer agrees to fully comply with all requirements of O.A.C. Chapter 4501-45 and applicable Ohio law. The manufacturer understands that failure to comply with the requirements of these rules and applicable law shall be grounds for the ODPS Director to suspend or revoke the license and/or certification issued to the manufacturer.

The manufacturer will fully comply with any examination or audit of its books, records, financial statements, and any other records regarding the IID which is the subject of this application, pursuant to O.A.C. Rule 4501-45-10 and Ohio law.

The manufacturer agrees to provide its experts, or other required testimony, or documents, in any civil or criminal proceeding regarding, but not limited to, the installation, calibration, general operation, specific operator use, service, tampering, circumvention, repairing, and/or removal of the IID, and/or interpretation of recorded data, at no cost to the State of Ohio, and will fully cooperate with the State of Ohio in all such matters.

PRINT NAME OF MANUFACTURER'S REPRESENTATIVE	TITLE
SIGNATURE OF MANUFACTURER'S REPRESENTATIVE X	DATE

IGNITION INTERLOCK MANUFACTURER'S AFFIDAVIT PURSUANT TO O.A.C. RULE 4501-45-04(E)

_____, being first duly sworn, states as follows:

(Print Name of Manufacturer's Representative)

1. I am authorized to represent the manufacturer, _____, in all matters pertaining to the ignition interlock device known as the _____ (hereinafter "IID") filed with the ODPS Director;
2. The _____, IID, was tested by _____, an independent testing laboratory, on _____, 20____, to determine if it is in compliance with the NHTSA standards published in Volume 78, No. 89 of the Federal Register on May 8, 2013 (78 F.R. 26849), and any modification thereto;
3. The IID, when installed in a motor vehicle, does not impede the safe operation of the vehicle in which it is installed;
4. The IID, once installed in a vehicle, has anti-circumvention features that are operating and functioning, that make circumvention difficult, and that do not interfere with the normal use of the vehicle;
5. The IID correlates with current established measures of alcohol impairment;
6. The IID is resistant to tampering and shows evidence of tampering if tampering is attempted;
7. The IID is difficult to circumvent and requires premeditation to do so;
8. The IID minimizes inconvenience to the sober user of the vehicle;
9. The IID requires a proper, deep-lung breath sample or other accurate measure of the concentration by weight of alcohol in the breath;
10. The IID operates reliably over the range of automobile environments;

11. The manufacturer of the IID is covered by product liability insurance as required by O.A.C. Rule 4501-45-04(D)(4);
12. During the period of time that _____ the manufacturer, had a license in effect in the State of Ohio, _____ IIDs were in use, either leased or sold, in the State of Ohio. (Renewals Only)
13. The manufacturer, and its authorized installers, including but not limited to each installer's agents and employees, shall not intentionally or recklessly tamper with, circumvent, or override, any of the interlock features of an IID installed in a vehicle in order to allow any person who has consumed, or will consume, any amount of alcohol to operate that vehicle understanding that such conduct will result in the immediate revocation of the manufacturer's license and certification.

WITNESS X	SIGNATURE OF MANUFACTURER'S REPRESENTATIVE X
WITNESS X	PRINT FULL NAME AND TITLE

State of

SS:

County of

The foregoing Affidavit was acknowledged before me this _____ day of _____, 20_____.

(Print Name of Manufacturer's Representative and Title)

(Print Name of Corporation)

a corporation, on behalf of the corporation.

(SEAL)

Notary Public

Please submit the complete application, all required documentation, and the certification fee of \$100.00 in the form of check or money order payable to Ohio Treasurer of State to:

Ohio Department of Public Safety
Attention: Payment Processing
Ignition Interlock Program Room 426
1970 W. Broad St.
P.O. Box 182081
Columbus, OH 43218-2081