



## Michigan Supreme Court

State Court Administrative Office

**Field Services Division**

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Ryan P. Gamby  
Field Services Director

### MEMORANDUM

DATE: October 12, 2023

TO: Problem-Solving Court Judges; Court Administrators; Problem-Solving Court Project Directors

FROM: Field Services' Problem-Solving Court Team

RE: Specialty Court Interlock Program

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#### Legal Summary

Effective September 19, 2023, [2023 PA 124](#) and [2023 PA 125](#) established the “specialty court interlock program.” The new program expands the eligibility of specialty court participants to install an ignition interlock device on their vehicle and obtain a restricted driver’s license. Before the amendment, participation in an ignition interlock program was limited to DWI/sobriety court participants under the statute. The new program expands program eligibility to all participants in a certified “specialty court,” which is defined as a drug treatment court, DWI/sobriety court, hybrid drug/DWI court, an adult mental health court, and veterans treatment court. See MCL 600.1084(9)(d) and MCL 257.83(a).

This memo provides a short overview of the specialty court interlock program.

#### Program Eligibility

Specialty court participants must meet the following criteria to be eligible for a restricted license under the specialty court interlock program. See MCL 257.304.

- 1) **License Suspension:** The Secretary of State previously suspended, restricted, or revoked the participant’s license for a reason identified in MCL 257.304(1).
- 2) **Waiting Period:** The participant’s license must be suspended or revoked for at least 45 days.
- 3) **Certification:** The judge assigned to the specialty court must certify to the Secretary of State that:

- a. The participant has been admitted into a specialty court interlock program.
- b. An ignition interlock device approved, certified, and installed as required by MCL 257.600k and MCL 257.625l has been installed on each motor vehicle owned or operated, or both, by the participant.

Specialty court judges complete this certification using the State Court Administrative Office (SCAO) Form [MC 393 Certification to Department of State](#). The Form was amended on 9/23/23 to include the expanded eligibility of specialty court participants.

A participant will not be issued a restricted license if they are otherwise ineligible for a license, unless the ineligibility is based on an exception identified in MCL 257.304(3).

### **Noncompliance Reporting**

Under MCL 600.1084(7), the specialty court judge must immediately inform the Secretary of State if any of the following occur while participating in the specialty court interlock program.

- 1) The court orders that a program participant be removed from the specialty court program before he or she successfully completes it.
- 2) The court becomes aware that a program participant operates a motor vehicle that is not equipped with an interlock device or that a program participant tampers with, circumvents, or removes a court-ordered interlock device without prior court approval.
- 3) A program participant is charged with a new violation of MCL 257.625.

### **Data Reporting**

The State Court Administrative Office is statutorily required to provide interlock outcomes to the Michigan Legislature. In turn, specialty courts that participate in the specialty court interlock program must provide minimum standard data related to their participation. Drug Court Case Management Information System data-entry instructions for programs using ignition interlock are available [here](#).

For more information, please refer to Michigan Department of State's [Ignition Interlock FAQ](#). If you have any questions, please contact [PSC@courts.mi.gov](mailto:PSC@courts.mi.gov).