

NYS Impaired Driver Program (IDP)

Vehicle and Traffic Law §1196-Alcohol and Drug Rehabilitation Program

NYS Impaired Driver Program (IDP)

The Impaired Driver Program (IDP) *(previously known as Drinking Driving Program (DDP))* is part of New York State's effort to lessen the incidence of injury, disability, and fatality that results from alcohol and other drug related motor vehicle crashes, thereby reducing the risk of re-offense for an impaired driving offense.

Impaired Driver Program....the Process

Impaired Driver Program is a POST-conviction program

- Court Clerks-Enter DWI conviction on NYS DMV reporting systems.
- NYS DMV determines eligibility for conditional license/privilege (which requires taking the IDP program).
- *IF ELIGIBLE*, the participant signs up for IDP at a NYS DMV office.
- Participant attends the 7 weeks/16 hours program. IF mandated by the IDP criteria, the participant may be required to attend a formal clinical assessment, and possible treatment recommendations.

Eligibility for IDP

The Courts can:

- prohibit entry to an IDP;
- require a motorist to attend an IDP;
- make it a condition of their discharge;
- mandate their attendance.



Eligibility for IDP

Participation in the Impaired Driver Program (IDP) is available on a voluntary basis if convicted of an alcohol or drug related driving violation, **unless** *they have participated in the program within the last 5 years, or have been convicted of another alcohol or drug violation within 5 years of the current alcohol or drug violation.*

However, these limitations do not restrict the ability of the court to mandate participation, even if the participant has already attended an IDP within the previous 5 years. *In such situations, participation will be required, yet they will not be eligible for a conditional license or privilege.*

IDP PARTICIPATION IS STATUTORILY MANDATED
UNDER TWO PLEA BARGAINING SITUATIONS:

1. If the defendant is charged with VTL 1192(2), (2-a), a plea in satisfaction of such charge must include a plea to VTL 1192(2), (2-a) or (3). The court must order the defendant to enroll in the IDP even if the defendant is not otherwise eligible for the IDP. The court uses the “DDM” code to indicate that DDP/IDP participation is mandatory.

OR

IDP PARTICIPATION IS STATUTORILY MANDATED
UNDER TWO PLEA BARGAINING SITUATIONS:

2. If the defendant is charged with VTL 1192(2), (3), (4), or (4-a), a plea in satisfaction of such charge must include a plea to VTL 1192(1) and must include participation in the IDP even if the defendant is not otherwise eligible for the IDP. The court uses the “DDM” code to indicate that DDP/IDP participation is mandatory.

Program Fees

- ❑ To enroll for the IDP, the participant must go to their NYS Department of Motor Vehicles (DMV) and fill out an application and pay a nonrefundable fee of \$75.
- ❑ The maximum IDP enrollment fee is \$234 (as of 2018), payable to the IDP they attend.
- ❑ During the IDP course, the participant may be referred to a NY State OASAS-approved treatment provider for formal clinical assessment and, if necessary, treatment. If formal assessment or treatment is needed, the participant will be responsible to pay additional fees to the treatment agency that provides those services.





Classroom Phase

7 weekly educational classroom sessions.

Each session takes 2 to 3 hours for 16 hours total.



Screening and Referral (for formal clinical assessment)

Impaired Driver Program Referrals can result from:

- the results of a written self-inventory
- two or more alcohol or drug-related driving convictions within 10 years
- an arrest for an alcohol or drug-related driving violation while enrolled in the IDP
- attending class under the influence of alcohol or drugs or reasonable suspicion thereof
- a written request by the participant for help with a substance abuse problem

Curriculum

THE CHANGE COMPANIES®

Uses *Interactive Journaling*, a research-demonstrated tool for assisting individuals in making behavior changes.

(This is the NYS-DMV approved curriculum as of January 2018.)

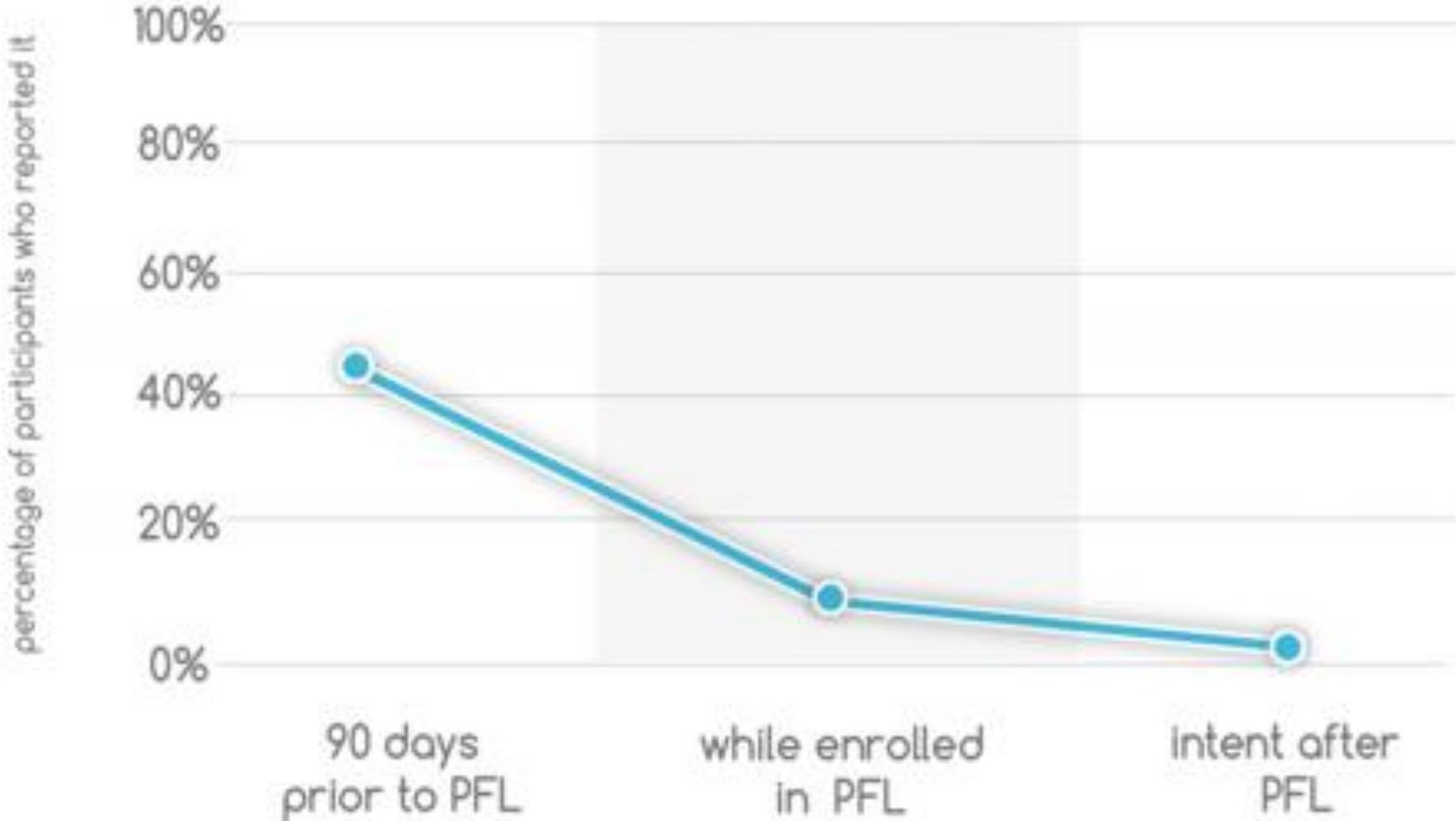
Completion

The IDP will provide the participant with a “Notice of Completion” when all program requirements have been met. This information is electronically transmitted to NYS DMV.

Depending on their license status and driving record, their license may be restored or they may become eligible to apply for a new license. Their eligibility will be affected if:

- they have two or more alcohol/drug related driving violations on your driving record
- their conditional license is under revocation
- they were under 21 when the alcohol or drug-related driving violation occurred
- they refused an alcohol or drug test on the date of the violation
- they committed the alcohol or drug-related violation while operating a commercial motor vehicle

Driving After Drinking or Using Drugs



NYS Impaired Driver Program Directors' Association



Mission Statement

The New York State Impaired Program Directors' Association is a partnership of Impaired Driver Programs that educate those who have been convicted of an alcohol or drug-related offense.

Vision Statement

Preventing intoxicated and impaired driving through education and a screening process to reduce the number of alcohol/substance impaired arrests.

Membership

The NYS Impaired Driver Directors' Association is made up of IDP programs throughout the state. Not all IDP programs are members of the Association. The Association meets twice during the year to discuss different aspects of the program.

For contact information: Michele James, St. Lawrence County Impaired Driver Program-315-386-2207



Sources:

Information from this presentation can be found at NYS DMV:

<https://dmv.ny.gov/tickets/about-impaired-driver-program>

Information about the NYS IDP Directors' Association can be found at:

<http://www.drinkingdriverprogramofnys-directorsassoc.com>