



**TRAFFIC SAFETY DIVISION APPLICATION FOR
IGNITION INTERLOCK MANUFACTURER
ORIGINAL APPLICATION**

INSTRUCTIONS FOR COMPLETING THIS APPLICATION

Before you begin working on this application, please review the rules regarding the Ignition Interlock Program (NMAC 18.20.11), which can be found on the UNM Traffic Safety Center (TSC) website: <https://nmtsc.unm.edu/> Click under the Ignition Interlock tab.

Consider the following requirements:

- The application should be typed or legibly printed in black ink
- Read and follow the instructions in each section before proceeding to the next section.
- Provide all information and documents required.
- Carefully read and initial by hand each Sworn Statement.
- Sign and date the application.
- Make a copy of the completed application and required documents for your records
- Hand deliver or mail the **ORIGINAL** application to:

**University of New Mexico
Traffic Safety Center
MSC07 4030 1 University of New Mexico
Albuquerque, NM 87131**

If you have any questions concerning this application, or any of the requirements please contact, Jason Broadwell by email:
tsciiiprograms@unm.edu/ 505.546.9985

For information related to the Ignition Interlock Indigent Fund, please contact, Venus Howley at Venus.Howley@dot.nm.gov or by telephone at 505-795-4489.

WHAT HAPPENS ONCE YOU SUBMIT THIS APPLICATION?

The University Of New Mexico Traffic Safety Center- licensing Section (TSC) on behalf of the New Mexico Department of Transportation- Traffic Safety Division (TSD) will conduct and initial review your application to determine if it is complete. Applications will be reviewed in the order in which they are received.

Applications will not be considered complete until TSC receives all required information or documents. If the application is not complete, TSC will contact you regarding the missing information, or documents. TSC will not proceed review of the application until all missing information or documents are received.

Upon completion of this initial review of the application, TSC will confer with TSD for final approval/denial determination.

If TSD does not approve your application, you will receive a letter stating the reasons why it was not approved. If the reasons can be resolved, you may resubmit your application.

If TSD conditionally approves your application, you will be notified to submit:
(NMAC 18.20.11.8 D)

- Proof of product liability insurance written on an occurrence form covering defects in product design, materials, and manufacturing of ignition interlock devices. The insurance must be issued or delivered by a company licensed to do business in, or placed in accordance with the surplus lines laws of, the state in which the insured's principal place of business is located. The policy shall have a minimum liability limit of one million dollars (\$1,000,000) per occurrence and three million dollars (\$3,000,000) in the aggregate. The products liability coverage must either be issued as a separate policy or the \$3 million aggregate limit must apply separately to the products liability coverage. [The proof of insurance MUST include a statement from the insurance company that it will notify the Transportation Safety Center-Licensing Section thirty \(30\) days before canceling the insurance.](#)
- A surety bond that meets the requirements of subsection 18.20.11.8D (2) of the rule.
- A signed statement that the manufacturer shall indemnify and hold harmless the State of New Mexico, TSD and its officers, employees and agents from all claims, demands and actions resulting from damage, death, or injury to persons or property which may arise, directly or indirectly, out of any act or omission by the manufacturer relating to the installation, service, repair, use or removal of an ignition interlock device.

- A signed statement that the manufacturer shall comply with all requirements of this rule.
- A signed statement that each of the manufacturer's service center operators is a representative of the manufacturer for the purpose of accepting service of process and that service of process on one of the manufacturer's service center operators shall constitute service of process on the manufacturer.

NO PERSON MAY MAKE IGNITION INTERLOCK DEVICES AVAILABLE IN NEW MEXICO UNLESS AND UNTIL THE TRAFFIC SAFETY DIVISION HAS GRANTED WRITTEN APPROVAL BY ISSUING AN IGNITION INTERLOCK MANUFACTURER LICENSE.

};> PLEASE KEEP THESE INSTRUCTIONS FOR FUTURE REFERENCE.

APPLICATION FOR MANUFACTURER ORIGINAL LICENSE

Section 1- Manufacturer Information.

Manufacturer Name	
Manufacturer's Physical Address/Mailing address	
Manufacturer's Toll-Free Telephone Number	
Manufacturer's FAX Number	
WEB Address	
Name and Title of Contact Person 1	
Telephone Number of Contact Person 1	
Email Address of Contact Person 1	
Name and Title of Contact Person 2	
Telephone Number of Contact Person 2	
Email Address of Contact Person 2	
NM Representative Name and Title	
Telephone Number	
Email Address of Representative	

Section 2 – Ignition Interlock Device Information

	Device 1	Device 2	Device 3
Model or class of device to be used in New Mexico			
A precise set of specifications describing the features of the device. If described in the application contents, indicate pg.#			
Operating instructions for each device. If described in the application contents, indicate pg#			
Description and type of reference sample used to calibrate device			
Name and address of independent laboratory that tested the device			
Name and telephone number of person who tested the device			

Section 3- Table 1: A list of each state where device(s) are currently approved

Table 2: A list of states where device was previously approved.

Section 4- Territory. (NMAC 18.20.11.8 B.9)

Please check the territory in which you propose to operate. You may choose one or more of the options.

- New Mexico State Highway District 1 New Mexico State Highway District 2
- New Mexico State Highway District 4
- New Mexico State Highway District 6
- New Mexico State Highway Districts 3 and 4
- New Mexico State Highway Districts 5 and 6
- Statewide

Section 5- Location of Service Centers.

(Please complete this information in **TABLE 3**)

Please provide the requested information for each fixed site service center you propose to operate in New Mexico. Please note that service centers must be within 100 miles, or two hours driving time, whichever is less, of any sentenced driver’s place of residence or employment in the territory in which you propose to operate.

Section 6- Device Performance Standards (NMAC 18.20.11.10 A through X)

All ignition interlock devices must be based on alcohol-specific electro-chemical fuel cell sensor technology and must meet the National Highway Traffic Safety Administration specifications published in Federal Register Volume 57, Number 67, pages 11772-11787, dated Tuesday, April 7, 1992 AND the requirements of the rule.

- Provide a separate table with the application that identifies where each of the standards A through X are addressed and identified pursuant to the rule.

Section 7- Device Data Recording Requirements (NMAC 18.20.11.12 A and B)

- Provide a separate table within the application that identifies where each of the standards A.1 through A.8 and B are addressed and identified pursuant to the rule.

Section 8- Additional Requirements

- Complete the TSD Business Model Plan based on how you plan to present your business in New Mexico and hold Service Centers accountable. (see 'Business Model' Template and complete the 'Answer Sheet')
- A copy of the independent laboratory report on the testing of each device for which you seek approval.

Section 9 - Sworn Statements.

By my initials beside each statement, I, _____, certify on behalf of the manufacturer that:

_____ I have read, understand and agree to comply with the requirements of, 18.20.11 NMAC, Ignition Interlock Devices, the rule adopted by the NMDOT Traffic Safety Division (TSD) regarding the ignition interlock program as well as the TSD administrative policies and procedures;

_____ I understand that failure to comply with the requirements of the rule shall be grounds for suspension or revocation of any license issued to me by the NMDOT Traffic Safety Division.

_____ I will not make ignition interlock devices available in New Mexico until I have received a written manufacturer's certification from the TSD.

_____ I shall indemnify and hold harmless the state of New Mexico, the Division and its officers, employees and agents from all claims, demands and actions resulting from damage, death, or injury to persons or property which may arise, directly or indirectly, out of any act or omission by me or any installer working for me relating to the installation, servicing, or removal of an ignition interlock device.

Section 9 - Sworn Statements (continued).

_____ I will not make any modification in design or operational concept of a device approved for use in New Mexico that materially affects the way the device measures alcohol or records data without the prior written approval of the division (Modification does not include repair or replacement of parts to maintain the device in working order or software changes that do not modify the functionality of the device).

_____ I will provide expert or other required testimony in civil or criminal proceedings regarding the installation, servicing, and removal of ignition interlock devices or the interpretation of recorded data;

_____ I will reimburse the division for any costs incurred if the service center operator requests the division to provide testimony in a civil or criminal proceeding involving the installation, servicing, and removal of an ignition interlock device;

_____ Each service center operator is a representative of the manufacturer for the purpose of accepting service of process and that service of process on one of the manufacturer's service center operators shall constitute service of process on the manufacturer.

_____ I understand that as the manufacturer, we accept responsibilities of Service Centers which includes:

- ensuring Owner/Operators, Installers and Service Technicians are dully trained,
- ensuring they understand all the requirements of 18.20.11 NMAC,
- actively supporting the Service Center
- ensuring the New Mexico Representative is available and understands all the requirements of 18.20.11 NMAC and TSD administrative policies and procedures including:
 - visible posting of hours of operation
 - visible posting of fees
 - visible posting of all license and certificates
 - indigent fund poster/information

_____ The same fees will be imposed on all drivers for installing, servicing, leasing and removing ignition interlock devices, but the service centers / manufacturer shall collect from indigent drivers only the amount not reimbursed by TSD. The service center shall reimburse the division for any overpayments obtained from the division in violation of this section.

_____ I will provide a manufacturers report to TSD and the service centers prior to submission of claims for reimbursement from the Indigent Fund. Claims will be submitted on a monthly basis.

Section 10- Signature and Date.

By my signature below, I certify, under penalty of perjury, that the information given in this application and all accompanying documents is true to the best of my knowledge and ability.

Printed name of officer authorized to bind the manufacturer	
Title of officer authorized to bind the manufacturer	

_____ Applicant's signature _____ Date

Please note that TSD requires an original application for processing. Copies will not be accepted.

1st Review: _____ Final Review by _____ Date _____

Approved _____ Denied _____ Reviewer's Comments: