§ 20-179.5. Affordability of ignition interlock system.

(a) Payment of Costs. – The costs incurred in order to comply with the ignition interlock requirements imposed by the court or the Division pursuant to this Chapter, including costs for installation and monitoring of the ignition interlock system, shall be paid by the person ordered to install the system. The costs incurred from voluntarily installing an ignition interlock system, including costs for monitoring the ignition interlock system, shall be paid by the person voluntarily installing the system. Costs for installation and monitoring of the ignition interlock system shall be collected under terms agreed upon by the ignition interlock system vendor and the person required to install, or voluntarily installing, the ignition interlock system.

(b) Waiver. – A person who is ordered by a court, or required by statute, to install an ignition interlock system in order to lawfully operate a motor vehicle, but who is unable to afford the cost of an ignition interlock system, may apply to an authorized vendor for a waiver of a portion of the costs of an ignition interlock system. Additionally, a person meeting the requirements set forth in sub-subdivisions a. through f. of subdivision (6b) of subsection (e) of G.S. 20-179 who is unable to afford the cost of an ignition interlock system may apply to an authorized vendor for a waiver of a portion of the costs of an ignition interlock system.

(c) Affidavit. – A person who applies for a waiver of a portion of the costs of an ignition interlock system under subsection (b) of this section shall provide to the vendor on a form affidavit created by the Division a statement (i) that the person's income is at or below one hundred fifty percent (150%) of the federal poverty line or (ii) that the person is enrolled in any of the following public assistance programs:

(1) Temporary Assistance for Needy Families (TANF).
(2) Supplemental Security Income (SSI).
(3) Supplemental Nutrition Assistance Program (SNAP).
(4) Low Income Home Energy Assistance Program (LIHEAP).
(5) Medicaid.

(d) Supporting Documentation. – A person who submits an affidavit under subsection (c) of this section shall provide to the vendor documentation confirming the statement set out in the affidavit. A person may establish the person's income for purposes of this subsection by providing any of the following:

(1) A copy of the person's federal tax return for the previous year.
(2) A copy of the person's IRS Form W-2 for the previous year.
(3) A copy of the person's pay stubs or monthly income statements for the three months immediately preceding the date of application under subsection (b) of this section.
(4) A verification of unemployment benefits paid to the person for the three months immediately preceding the date of application under subsection (b) of this section.

(e) Reduction of Costs. – A vendor who receives a waiver under subsection (b) of this section that complies with the requirements of subsections (c) and (d) of this section shall install the ignition interlock system in accordance with both of the following terms:

(1) The applicant shall not be required to pay for installation or removal of the ignition interlock system or systems.
(2) The applicant shall receive a fifty percent (50%) discount on the monthly service rate charged to persons who are not granted a waiver under this section.

(f) Review of Denial. – An applicant denied a waiver of ignition interlock system costs under this section may seek review by the Division of the vendor's determination. The Division shall adopt rules to govern its review under this subsection. (2021-182, s. 1(e); 2025-71, s. 11(b).)