



HB 789 will improve North Carolina's DUI prevention efforts and save lives

Current Law

Ignition interlocks are only mandatory post-conviction in North Carolina for high-risk impaired drivers (repeat offenders, and people with BACs at or above .15) and when a person refused a BAC test.

Current IID timeframes:

- 1 year if license revocation was for 1 year.
- 3 years if license revocation was for 4 years; and
- 7 years if the license was permanently revoked but can be restored.
- All people on IID must have 90 days without violations to exit the program

HB 789 would:

- Allow first-time DUI defendants with BACs below .15 to voluntarily install IID pre-trial for at least 6 months to qualify for a mitigating factor at sentencing.
- In order to qualify for the mitigating factor, the person must only operate vehicles equipped with IID and have no program violations.
- Defendants who voluntarily install an IID must cover the costs themselves. A waiver program is available for those who cannot afford the IID, similar to financial assistance for court-ordered IID installations.

Proactive Prevention Approach

HB 789 aims to reduce repeat offenses by promoting responsible behavior and compliance with IID requirements. It encourages early intervention by promoting the use of IID before trial and offers defendants a way to demonstrate responsibility and possibly receive a lighter sentence.

It shifts the mindset from “wait to be punished” to “prove you’re making changes now.” This is not a get-out-of-jail-free card, it is a mitigating factor, not an exemption from consequences. The bill rewards voluntary compliance, clean behavior, and long-term responsible driving before sentencing.

Taxpayer-Friendly – No Cost to the State

There is no state funding required for implementation—defendants voluntarily bear the cost. By offering a sentencing incentive, the bill may reduce court burdens and recidivism, saving taxpayer dollars in the long run. The waiver process for low-income individuals already exists and will not increase state spending.

Reduces Repeat Offenses Without Expanding Government

This is a free-market solution that uses private vendors, not government programs, to help address impaired driving. By intervening early and allowing consequences to be adjusted based on behavior, we create incentives that work—not bigger government.

Built-In Guardrails Ensure It is Used Appropriately

The mitigating factor only applies if the defendant:

- Did not injure anyone,
- Had a BAC under 0.15,
- Has no recent impaired driving history,
- Installed the device within 45 days,
- Complied fully with the IID requirements.
- These strict eligibility limits ensure this option is reserved for first-time, low-level offenders.

Supporters include:

AAA

Advocates for Highway and Auto Safety

Independent Insurance Agents of NC (IIANC)

MADD North Carolina Executive Director

National Safety Council

National Alliance to Stop Impaired Driving

North Carolina Alliance for Safe Transportation (NCAST)

North Carolina Governor's Highway Safety Program

Responsibility.org

Students Against Destructive Decisions (SADD)

Safety and Advocacy for Empowerment (SAFE Coalition)