



IMMOBILIZING OR DISABLING DEVICE OTHER THAN IGNITION INTERLOCK DEVICES MANUFACTURER'S APPLICATION FOR CERTIFICATION

ORIGINAL RENEWAL

MANUFACTURER'S NAME (as legally established)			
MAILING ADDRESS			STATE OF BUSINESS FILING
CITY	STATE	ZIP	VALIDATION NUMBER ON CERTIFICATE OF GOOD STANDING
BUSINESS TYPE (check one) <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> LLC (Limited Liability Company) <input type="checkbox"/> Other (please identify): _____			
CONTACT PERSON NAME (first, middle, last)			TITLE
E-MAIL ADDRESS		PHONE NUMBER	FAX NUMBER
IMMOBILIZING OR DISABLING DEVICE NAME		MODEL NUMBER	
NAME UNDER WHICH DEVICE WILL BE MARKETED			

OHIO SECRETARY OF STATE REQUIREMENTS

REGISTERED WITH OHIO SECRETARY OF STATE <input type="checkbox"/> Yes <input type="checkbox"/> No	ENTITY NUMBER
BUSINESS NAME	ORIGINAL FILING DATE

MANUFACTURER'S APPLICANTS

IDENTIFY CAPACITY IN WHICH YOU ARE APPLYING:

Owners, Partners, Officers, Directors, Agents, Stockholders owning 20% or more of the corporation, LLC managers, or Other (please identify): _____

NAME (first, middle, last)		TITLE	
BUSINESS ADDRESS	CITY	STATE	ZIP
RESIDENCE ADDRESS	CITY	STATE	ZIP
NAME (first, middle, last)		TITLE	
BUSINESS ADDRESS	CITY	STATE	ZIP
RESIDENCE ADDRESS	CITY	STATE	ZIP
NAME (first, middle, last)		TITLE	
BUSINESS ADDRESS	CITY	STATE	ZIP
RESIDENCE ADDRESS	CITY	STATE	ZIP

IMMOBILIZING OR DISABLING DEVICE OTHER THAN IGNITION INTERLOCK DEVICES MANUFACTURER'S APPLICATION FOR CERTIFICATION

SECTION 1. EFFECTIVE DATE AND DEFINITIONS

A manufacturer of an immobilizing or disabling device other than an ignition interlock device shall first have a license issued by the Ohio Department of Public Safety (ODPS), and then shall have each immobilizing or disabling device other than an ignition interlock device certified by the ODPS Director, before the manufacturer leases, sells, or otherwise uses its immobilizing or disabling device other than an ignition interlock device(s) in the State of Ohio.

The definitions contained in Ohio Administrative Code (O.A.C.) Rule 4501-45-01, and any amendments thereto, shall define the terms contained in this Application for Certification (hereinafter "application"), effective on December 31, 2010.

SECTION 2. CERTIFICATION REQUIREMENTS

If a manufacturer files an incomplete application, if all required documentation is not provided with a completed application, or if the certification fee is not included with the completed application and documentation, the ODPS Director will not review the application. The application, and all documents provided, will be returned, by certified mail, to the contact person at the address identified in the manufacturer's application. The ODPS Director will provide a written statement identifying the reason(s) the application and documentation are being returned to the manufacturer.

The manufacturer shall have thirty (30) days, including the date of the certified mail service, within which to re-submit a fully completed application with all required documentation. If the completed application and all required documents are not received by the ODPS Director within the thirty (30) day time period, the application will be deemed denied. In such case, the manufacturer will be required to begin the certification process anew pursuant to O.A.C. Rule 4501-45-04(C).

A. O.A.C. SECTION 4501-45-04 REQUIREMENTS

I certify, by my initials on the line next to each requirement, that I have attached the required documents for the immobilizing or disabling device other than an ignition interlock device (hereinafter "IDD") which is the subject of this application:

_____ A certificate from an independent testing laboratory indicating that the IDD meets or exceeds the requirements of 4510.43 (A)(2) of the Ohio Revised Code (R.C.) for an immobilizing or disabling device, or any modifications thereto.

_____ A complete copy of the testing protocol, and results thereof, conducted by the independent testing laboratory which issued the certificate identified above. If previously submitted, indicate date submitted _____.

_____ The operator's manual, or similar set of written instructions, and all documents and written summaries of all oral instructions provided to the manufacturer's installers addressing the following:

1. A detailed description of the IDD, including a photograph, drawing or other depiction of the IDD;
2. The technical specifications for the IDD, including but not limited to the accuracy, reliability and security features of the IDD;
3. The specific steps required to install the IDD in a motor vehicle;
4. All aspects of the operation of the IDD including, but not limited to, breath testing and lock-outs;
5. Service and calibration of the IDD;
6. Tampering and circumvention detection capabilities of the IDD;
7. Data recording and collection of data features of the IDD;
8. Repairs to the IDD; and
9. Removal of the IDD from a motor vehicle.

_____ A copy of the Manufacturer's Certificate of Product Liability Insurance which:

1. Identifies the manufacturer;
2. Identifies the coverage as product liability insurance covering defects in manufacture, materials, design, calibration, installation, operation, service, repair, and removal of the IID;
3. Identifies ODPS as an "Additional Insured" and "Certificate Holder";
4. Identifies the policy number;
5. States a policy limit of at least one million dollars per occurrence, and a minimum of three million dollars in the aggregate;
6. States the effective date and the expiration date of the policy; and
7. States that if the policy is cancelled before the expiration date, the issuing insurer will provide written notice to ODPS at least thirty days before cancellation of the policy.

_____ A complete list of the manufacturer's authorized installers of the IDD in this State, to include the business name, business address, contact person, contact phone number, and e-mail address.

_____ A sample warning label, and all documents instructing authorized installers to conspicuously affix the warning label on the front of each IDD upon installation in a motor vehicle. The warning label shall be printed in boldface, capital letters, and the label shall be no smaller than one and one-half inches high and two inches long stating: "ANY PERSON TAMPERING, CIRCUMVENTING, OR OTHERWISE MISUSING THIS DEVICE IS SUBJECT TO A FINE, IMPRISONMENT, OR BOTH, AND MAY BE SUBJECT TO CIVIL LIABILITY".

_____ All documents, and written summaries of oral instructions, given to users / operators of the IDD addressing use, data recording and collection, breath testing, lock-outs, tampering, circumvention, security features, servicing, repair, and removal of the IDD.

B. CRIMINAL HISTORY CHECKS

I certify, by my initials on the line next to this section, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms set forth below:

_____ The manufacturer acknowledges that the ODPS Director may conduct a computerized criminal history check upon any person identified in the application, or identified in any documents filed with the application. The manufacturer will fully cooperate with the ODPS Director in providing any personal identifying information about a person, including but not limited to, the date of birth, social security number, and residence address, so that any computerized criminal history check deemed necessary by the ODPS Director will be completed promptly and efficiently. All costs incurred by the ODPS Director to perform such criminal history check shall be the financial responsibility of the manufacturer.

C. CERTIFICATION FEE

I certify, by my initials on the line next to this section, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms set forth below:

_____ The manufacturer shall pay a certification fee of one hundred dollars (\$100.00) in the form of a check or money order, payable to Ohio Treasurer of State. A certification fee shall be paid with each application filed with the ODPS Director. The certification fee is non-refundable. If the manufacturer files an incomplete application with the ODPS Director, and / or fails to file all required documentation as set forth in Section 2A above, the certification fee will be forfeited.

A separate and complete application shall be filed for each IDD, model or type, differing in any aspect, which the manufacturer intends to lease, sell, or otherwise use in this state.

SECTION 3. LIABILITY AGREEMENT

I certify, by my initials on the line next to this section, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms set forth below:

_____ The manufacturer agrees to indemnify and hold the State of Ohio, ODPS, the ODPS Director, and any division, office, agency, administrator, employee, or agent of the State of Ohio, harmless from all liability, including but not limited to, all expenses of litigation, damages, reasonable attorney fees, and court costs, for damage to property and injury to any person arising, directly or indirectly, out of any act or omission by the manufacturer, its owners, officers, directors, partners, members, agents, employees, contractors, and / or installers relating to the use of the IDD which is the subject of this application.

SECTION 4. COMPLIANCE AND COOPERATION AGREEMENT

I certify, by my signature below, that I am authorized to act by and for the manufacturer, and that the manufacturer agrees to, and shall be fully bound by, the terms and agreements set forth in this application. I certify, on behalf of the manufacturer, that the information in this application, and all documents attached hereto, is true and accurate.

Upon receipt of certification, the manufacturer agrees to fully comply with all requirements of O.A.C. Chapter 4501-45 and applicable Ohio law. The manufacturer understands that failure to comply with the requirements of these rules and applicable law shall be grounds for the ODPS Director to suspend or revoke the license and / or certification issued to the manufacturer.

The manufacturer will fully comply with any examination or audit of its books, records, financial statements, and any other records regarding the IDD which is the subject of this application, pursuant to O.A.C. Rule 4501-45-10 and Ohio law.

The manufacturer agrees to provide its experts, or other required testimony, or documents, in any civil or criminal proceeding regarding, but not limited to, the installation, calibration, general operation, specific operator use, service, tampering, circumvention, repairing, and / or removal of the IDD, and / or interpretation of recorded data, at no cost to the State of Ohio, and will fully cooperate with the State of Ohio in all such matters.

PRINT NAME OF MANUFACTURER'S REPRESENTATIVE	TITLE
SIGNATURE OF MANUFACTURER'S REPRESENTATIVE X	DATE

IMMOBILIZING OR DISABLING DEVICE OTHER THAN IGNITION INTERLOCK MANUFACTURER'S AFFIDAVIT PURSUANT TO O.A.C.RULE 4510.43(A)(2)

_____, being first duly sworn, states as follows:
(Print Name of Manufacturer's Representative)

1. I am authorized to represent the manufacturer, _____, in all matters pertaining to the ignition interlock device known as the _____ (hereinafter "IDD") filed with the ODPS Director;
2. The _____, IDD, was tested by _____, an independent testing laboratory, on _____, 20____, to determine if it is in compliance with 4510.43 (A)(2) of the R.C., and any modification thereto;
3. The IDD, when installed in a motor vehicle, does not impede the safe operation of the vehicle in which it is installed;
4. The IDD, once installed in a vehicle, has anti-circumvention features that are operating and functioning, that make circumvention difficult, and that do not interfere with the normal use of the vehicle;
5. The IDD correlates with current established measures of alcohol impairment;
6. The IDD is resistant to tampering and shows evidence of tampering if tampering is attempted;
7. The IDD is difficult to circumvent and requires premeditation to do so;
8. The IDD minimizes inconvenience to the sober user of the vehicle;
9. The IDD requires a proper, deep-lung breath sample or other accurate measure of the concentration by weight of alcohol in the breath;
10. The IDD operates reliably over the range of automobile environments;

- 11. The manufacturer of the IDD is covered by product liability insurance as required by O.A.C. Rule 4501-4504(D)(3);
- 12. During the period of time that _____ the manufacturer, had a license in effect in the State of Ohio, _____ IDs were in use, either leased or sold, in the State of Ohio. (Renewals Only)
- 13. The manufacturer, and its authorized installers, including but not limited to each installer's agents and employees, shall not intentionally or recklessly tamper with, circumvent, or override, any of the interlock features of an IDD installed in a vehicle in order to allow any person who has consumed, or will consume, any amount of alcohol to operate that vehicle understanding that such conduct will result in the immediate revocation of the manufacturer's license and certification.

WITNESS X	SIGNATURE OF MANUFACTURER'S REPRESENTATIVE X
WITNESS X	PRINT FULL NAME AND TITLE

_____ State of

SS:

_____ County of

The foregoing Affidavit was acknowledged before me this _____ day of _____, 20_____.

_____ (Print Name of Manufacturer's Representative and Title)

_____ (Print Name of Corporation)

a corporation, on behalf of the corporation.

(SEAL)

Notary Public

Please submit the complete application, all required documentation, and the certification fee of \$100.00 in the form of check or money order payable to Ohio Treasurer of State to:

Ohio Department of Public Safety
 Attention: Payment Processing
 Ignition Interlock Program Room 426
 1970 W. Broad St.
 P.O. Box 182081
 Columbus, OH 43218-2081