

# Indigent Driver Alcohol Treatment Fund Fact Sheet



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## What is the IDAT Fund?

The Indigent Driver Alcohol Treatment (IDAT) Fund allows courts in Ohio to utilize necessary treatment services for offenders convicted of operating a vehicle under the influence of alcohol or drugs (OVI) that would otherwise not be able to afford such services.

Funding may also be utilized for the continued use of an electronic monitoring device and for other criminal offenses where alcohol was a contributing factor.

## Where does the money come from?

IDAT receives \$37.50 from each driver's license reinstatement fee for offenders convicted of drunken driving, who lose their licenses because they refused or failed a breath test (RC 4511.191(F)(2)(c)). The money is transferred via the state treasury from the Ohio Bureau of Motor Vehicles through the Ohio Department of Alcohol and Drug Addiction Services to the local fund.

IDAT also receives \$25 from each fine for OVI via the county or municipal treasury.

In addition, IDAT receives \$1.50 for every moving violation conviction and \$50 for immobilization waiver fees.

## What role does the ADAS/ADAMHS Board play in IDAT funds?

ORC 4511.191(H)(3) requires that the local Alcohol and Drug Addiction Services (ADAS) Board or the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board administer the indigent drivers alcohol treatment program of the court. When a court orders an offender to attend an alcohol and drug addiction treatment program, the Board is required to determine the most suitable program to meet the offender's needs. The Board is also required to submit an annual report to ODADAS detailing the utilization of each IDAT fund within its Board region.

## How may funds be used?

### Part 1 — Treatment services

IDAT funds may be used only to pay for the cost of an alcohol and drug addiction treatment program attended by an OVI offender who is ordered into treatment and is determined by the judge not to have the means to pay for attendance at the program.

***IDAT funds may only be used for alcohol monitoring devices upon exhaustion of monies in the indigent drivers interlock and alcohol monitoring fund created pursuant to ORC 4511.191(I).***

**Part 2 — Alcohol monitoring devices**

- a) If the source of the IDAT funds originate from OVI fines, driver reinstatement fees, immobilization waiver fees or an appropriation from the General Assembly, the funds can be used to pay for the continued use of an alcohol monitoring device in conjunction with an ODADAS certified treatment program when the use is determined clinically necessary, or
- b) If the source of the IDAT funds originate from additional court costs imposed pursuant to ORC 2949.094, the funds can be used for the continued use of an alcohol monitoring device with or without treatment.

**What if there is a surplus in the fund?**

A court may declare a surplus in the fund if it is determined, in consultation with their local Board, that the IDAT funds under the control of the court are more than sufficient to satisfy the purpose for which the fund was established.

If the court declares a surplus in the fund, it may use the amount of the surplus for alcohol/drug abuse assessment and treatment of persons who are charged with committing a criminal offense or with being a delinquent child or juvenile traffic offender if:

- a) The court determines that substance abuse was a contributing factor leading to the criminal or delinquent activity or the juvenile traffic offense with which the person is charged, and
- b) The court determines the person is unable to pay the cost of the alcohol and drug abuse assessment and treatment.

If the court declares a surplus in the fund, the court may also use the funds to pay for all or part of the cost of purchasing electronic continuous alcohol monitoring devices that are used in conjunction with a treatment program.

**May IDAT funds be utilized for Driver Intervention Programs (DIPs)?**

IDAT funds primarily pay for alcohol and drug addiction treatment services. A Driver Intervention Program (DIP) does not include alcohol and drug addiction treatment, but it provides intervention services, screening, education and referral.

