

Intelligent Speed Assistance Program (ISAP) Interim Guidelines

(Effective July 1, 2026 – until permanent regulations are adopted)

I. Purpose

These Guidelines are issued by the Commission on Virginia Alcohol Safety Action Program (VASAP) to provide interim standards for the operation of the Intelligent Speed Assistance Program (ISAP) beginning July 1, 2026. They remain in effect until the promulgation of final ISAP regulations, at which time the final ISAP regulations will supersede these interim guidelines

The Guidelines ensure public safety, consistency, and accountability for all stakeholders, They are intended to provide clarity in the period between statutory implementation and the adoption of formal regulations, ensuring continuity of enforcement and safe roadway practices across the Commonwealth.

II. Definitions

For the purposes of these Guidelines, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

1. "Applicant" means a service provider technician or state director who applies for a Virginia Intelligent Speed Assistance Program Certification Letter from the commission.
2. "ASAP" means a local alcohol safety action program.
3. "Calibration" means the process by which the intelligent speed assistance device is programmed to accurately read pedal response, vehicle voltages, RPMs, and other parameters.
4. "Commission" means the Commission on Virginia Alcohol Safety Action Program (VASAP), as established pursuant to § 18.2-271.2, or its designee.
5. "Device" means an intelligent speed assistance device.
6. "Device certification" means the testing and approval process required by the Commission on Virginia Alcohol Safety Action Program for an intelligent speed assistance device.
7. "Device lock-out" means a function of the intelligent speed assistance device which disables the vehicle in which it is installed from accelerating.
8. "DMV" means the Virginia Department of Motor Vehicles.
9. "Drive cycle" means the duration equal to the time from a vehicle's engine on to engine off.
10. "Dynamic speed zone" means an area where speed limits are temporarily adjusted to current conditions.
11. "Enrollment" means the submission of completed Commission-required enrollment paperwork and the payment of applicable program fees by the offender to the commission.
12. "Executive director" means the executive director of the commission.
13. "Executive Finance Committee" means the advisory subcommittee of the Commission composed of the Executive Director of the Commission on Virginia Alcohol Safety Action Program, two Commission members, and such other persons as the Commission designates.
14. "Intelligent speed assistance system" means a system that limits the speed at which a motor vehicle is capable of traveling based on the applicable speed limit where such motor vehicle is being operated. The intelligent speed assistance system is synonymous with intelligent speed assistance devices as it pertains to these regulations.

15. "Intelligent speed assistance device event" means vehicle operator activity that is recorded by the intelligent speed assistance device.
16. "Lock-out override" means a method of overriding a lock-out provided by the service provider.
17. "Motor vehicle" means a motor vehicle as defined in § 46.2-100 of the Code of Virginia.
18. "Offender" means the individual required by the court, or the Department of Motor Vehicles, to enroll in and successfully complete the intelligent speed assistance program.
19. "Override" means a functionality of the intelligent speed assistance device that enables the vehicle in which the device is installed to operate at a speed above the posted speed limit for a set period of time.
20. "Program" means the Intelligent Speed Assistance Program established pursuant to § 46.2-507.
21. "Recall mode" means a feature of the intelligent speed assistance device requiring the offender to bring the vehicle, in which the device is installed, to their service provider's service facility within 5 days if a power loss, tamper, bypass, speed exceedance, or circumvention of the device is detected by the service provider. There shall be a notification to the offender when a recall mode is initiated.
22. "Service facility" means the physical location where the service provider installs, services and removes the intelligent speed assistance devices.
23. "Service provider" means an authorized supplier of approved intelligent speed assistance devices who provides installation, maintenance, and removal services of such devices and provides reporting related to device activity to the Commission or local ASAP programs.
24. "Speed exceedance" means when a vehicle, with an intelligent speed assistance device installed, exceeds the posted speed limit where it is operating for a minimum of five seconds. Each time a speed limit is exceeded shall be considered a unique speed exceedance event.
25. "State director" means a service provider employee who provides oversight of the service provider's intelligent speed assistance operations in the Commonwealth of Virginia. The state director may simultaneously serve as an ignition interlock or remote alcohol state director.
26. "Successful completion" means maintaining the device on the assigned vehicles for the proscribed period of time and fulfilling all requirements of the intelligent speed assistance program as required by the court or DMV.
27. "Tamper alert" means an alert provided to a service provider indicating a power loss to, tampering with, bypass of, or circumvention of the intelligent speed assistance device.
28. "Tampering" means an attempt to bypass, disable or circumvent the legal operation of the intelligent speed assistance device or any of its components installed on a motor vehicle.
29. "Technician" means a service provider employee who installs, services, or removes intelligent speed assistance devices in the Commonwealth of Virginia.
30. "Vendor certification" means the process of determining that a vendor has been approved to provide intelligent speed assistance services in the Commonwealth of Virginia.
31. "Violation" means attempted tamper, bypass or circumvention of an intelligent speed assistance device or failure to complete any other requirements of the intelligent speed assistance program required by Commission policies, procedures, and regulations, requirements of the Virginia Code, and if applicable, requirements of the court order referring the offender into the intelligent speed assistance program.
32. "Virginia Intelligent Speed Assistance Certification Exam" means an exam administered by the Commission to service provider state directors and technicians that must be successfully completed and submitted as a component of an application for a "Virginia Intelligent Speed Assistance Certification Letter."

323. "Virginia Intelligent Speed Assistance Certification Letter" means a letter issued by the Commission to a service provider technician or state director authorizing the technician or state director to perform intelligent speed assistance services in the Commonwealth of Virginia.

III. Referrals

The following provisions govern referrals to the Intelligent Speed Assistance Program:

1. ISAP device installation is required when ordered by a court pursuant to §§ 46.2-393, 46.2-394, or 46.2-865 of the Code of Virginia, or when administratively ordered by DMV pursuant to § 46.2-506.
2. Offenders ordered into the ISAP must complete enrollment with the Commission within 10 days of order of the court or DMV, including submission of enrollment paperwork, payment of program fees (or entry into an approved payment plan) and install an ISAP device on each vehicle operated, owned, or registered by the offender.
3. Courts and DMV shall provide the Commission with copies of referral orders to ensure accurate tracking and monitoring of offenders.

IV. Service Providers and Technicians

- A. The following requirements apply to all Service Providers:
 1. Only Commission-approved service providers may install, maintain, and remove ISAP devices.
 2. Service providers must ensure that technicians and state directors possess proper Commission-issued certification.
 3. Service providers shall maintain adequate insurance coverage, with minimum policy limits of \$1 million per occurrence and \$3 million aggregate.
 4. Service providers must establish at least one physical service facility within 50 miles of all Virginia residences, unless otherwise authorized by the Commission.
 5. Service providers shall remit a payment of \$10 per month to the Commission for each person who has an ISAP device currently installed with their company.
- B. The following requirements apply to all Technicians:
 1. Every technician must be certified by the Commission before performing any ISAP services.
 2. Certification requires a Commission-approved background and scoring 80% or greater on the ISAP certification exam.
 3. Technicians and state directors may provide ISAP services without being certified for up to 30 days from the date of the ISAP contract with the Commonwealth.

V. Devices

- A. All ISAP devices used in the Commonwealth must be certified by the Commission.
- B. All devices must meet minimum specifications, including the following. The device must:
 1. Not impede the safe operation of the motor vehicle;
 2. Minimize opportunities to be bypassed, circumvented, or tampered with, and provide evidence that such system has not been bypassed, circumvented, or tampered with;
 3. Work accurately and reliably in an unsupervised environment;
 4. Have the capability to provide an accurate measure of speed and record each attempt to bypass, circumvent, or tamper with such intelligent speed assistance systems;
 5. Minimize inconvenience to other users of the motor vehicle;
 6. Be manufactured or distributed by an entity that is responsible for the installation, user training, service, and maintenance of such intelligent speed assistance systems;

7. Operate reliably over the range of motor vehicle environments or motor vehicle manufacturing standards;
8. Be manufactured by an entity that is adequately insured against liability, in an amount established by the Commission, including product liability and liability against installation and maintenance errors; and
9. Provide an electronic log of the driver's experience with such intelligent speed assistance system with an information management system capable of electronically delivering information to the Commission within 24 hours of the collection of such information from the data logger.
10. Permit two 30-second overrides of the ISA device per drive cycle. Overrides shall not permit the vehicle to travel more than 5 mph above the posted speed limit where the vehicle is operating when activated.

C. Installation of ISAP devices must follow these requirements:

1. ISAP devices may only be installed by a certified technician employed by a certified service provider
2. Offenders must have an ISAP device installed within 15 days of the court or DMV order.
3. Service providers may not proceed with installation without authorization from the Commission.
4. Offenders must present valid photo identification, proof of vehicle ownership or registration, and, if applicable, notarized owner consent for installation on a third-party vehicle.
5. Service providers must inspect vehicles prior to installation and complete a pre-installation and post-installation checklist to be retained in the offender's file.
6. Installation shall include tamper-resistant features on all electrical connections. Providers must use uniquely identifiable shrink tubing or labeled tape.
7. Offenders and potential drivers of the vehicle shall receive an orientation on device use, maintenance, and recall procedures.
8. An ISAP device shall be installed in any vehicle owned by or registered to the offender along with any vehicle they operate.
9. All ISAP devices shall be installed out of the presence of the customer.

D. All ISAP devices must be consistently monitored and maintained to ensure reliability and compliance. The following maintenance requirements shall be adhered to:

1. Offenders must report to their service facility every 60 days for inspection of the device.
2. Service providers must inspect for wiring issues, tampering, bypass attempts, and proper device function.
3. If tampering, bypass, circumvention, power loss, or speed exceedance is detected, devices shall enter recall mode immediately. The offender must return the vehicle within 5 days or face lock-out.
4. All malfunctions must be repaired within 48 hours at no additional cost to the offender, unless caused by no fault of the intelligent speed assistance program service provider.
5. Service providers shall maintain 24/7 emergency hotlines for offenders experiencing device or vehicle issues.

E. Device removal must comply with the following interim standards:

1. All removals require authorization from the Commission.
2. Removal notifications must be submitted to the Commission within 24 hours of completion.
3. Vehicles must be restored to pre-installation conditions, with all severed wires reconnected securely.
4. Service providers must inspect vehicles prior to removal and complete a pre-removal and post-removal checklist to be retained in the offender's file.

VI. Program Requirements & Violations

- A. All offenders referred into ISAP must:
1. Enroll in the program via the Commission on VASAP within 10 days of the referral order.
 2. Install an ISAP device in any vehicle owned by, or registered to, the offender along with any vehicle they operate within 15 days of order of the court or DMV.
 3. Pay all applicable program and device fees unless declared indigent by the court or the Commission on VASAP.
 4. Operate only vehicles equipped with functioning ISAP devices.
- B. An Offender violation will be incurred in the following instances:
1. Failure to install a device within 15 days.
 2. Tampering, bypassing, circumvention, or speed exceedance of the device.
 3. Failure to report for 60-day inspections or recall service.
 4. Operation of a non-equipped vehicle during program enrollment.
 5. New charges or convictions for reckless driving or speed-related offenses while enrolled.
 6. Falling more than 60 days in arrears on program fees.
 7. Failing to enroll at the Commission within 10 days of the order of the court to enter the program.
 8. Failure to install an ISAP device in all vehicles owned by, or registered to, the offender along with any vehicle they operate within 15 days of order of the court or DMV.

VII. Fees

- A. The following interim fee structure applies:
1. \$100 installation fee per vehicle
 2. \$75 device transfer fee from one vehicle to another
 3. \$130 monthly leasing and maintenance fee inclusive of the \$10 monthly administrative fee to be paid to the Commission.
 4. \$8.00 per month for optional insurance covering theft or accidental damage.
 5. 10% over the actual replacement cost of the device and its components if theft or damage occurs to the device without the purchased optional insurance by the client.
 6. \$50 plus mileage at the Commonwealth of Virginia mileage rate (not to exceed 100 miles)
 7. \$35 missed appointment fee
 8. A returned fee as permitted by the Virginia Code.
 9. \$50 per hour, not to exceed four hours, repair and installation fee as the result of someone other than the service provider tampering with the device.
 10. \$50 recall fee
 11. \$50 lock-out override fee
 12. \$50 payment by the offender to the Commission for monthly ISAP monitoring
- B. Service providers may charge optional insurance for device theft/damage.
- C. Indigent offenders shall not be denied service. In the event of an indigent offender, as designated by the Commission or the Court, the service provider shall provide ISAP services at rates approved by the Commission or the Court.

VIII. Enforcement & Noncompliance

Violations of program requirements by an offender shall be reported by the Commission to the appropriate entity. For court referrals, noncompliance will be returned to the referring court. For DMV referrals, noncompliance may result in administrative removal from the program and license consequences. The Commission may assess a \$50 fee in instances where a non-compliance of ISAP requirements results in the need for a local Alcohol Safety Action Program employee to attend the resulting court hearing.

IX. Indigency Fund

The Commission shall establish and administer an indigency fund for offenders who are eligible for a reduction in fees based upon a declaration of indigency by the court or approval by the commission. Service providers shall not deny service to any offender for whom there has been a declaration of indigency or approval by the commission.

X. Emergency Declarations

The Commission reserves the right to suspend or modify program requirements when a federal or state emergency is declared. Adjustments will be communicated promptly to service providers, offenders, and courts to ensure continuity of safety.