

IN THE MUNICIPAL COURT OF THE CITY OF HERMISTON  
COUNTY OF UMATILLA, OREGON

State of Oregon

Case No: \_\_\_\_\_

v.

**MOTION TO VACATE USE OF IID  
AS CONDITION OF DIVERSION  
AGREEMENT,  
and DECLARATION IN SUPPORT**  
*DUII Diversion*

\_\_\_\_\_  
Defendant

**MOTION**

I am the defendant in this case. I ask the court to vacate the condition of my diversion agreement requiring me to install and use an approved ignition interlock device.

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**DECLARATION IN SUPPORT**

I qualify for a medical exemption under Oregon Department of Transportation rules (see the medical exemption form provided)

***OR***

All of the following conditions are true:

- I installed an approved IID in accordance with the diversion agreement I entered into on (date): \_\_\_\_\_
- I used the approved IID for at least 6 consecutive months since the date of installation, which was (date) \_\_\_\_\_
- I submitted to the court a certificate from the IID service provider that the device has not recorded a negative report for at least 6 months
- I have entered into and am in compliance with any treatment I may have been required to participate in as a condition of my diversion agreement

**Other information:** \_\_\_\_\_

**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Phone