




DRIVING WHILE IMPAIRED



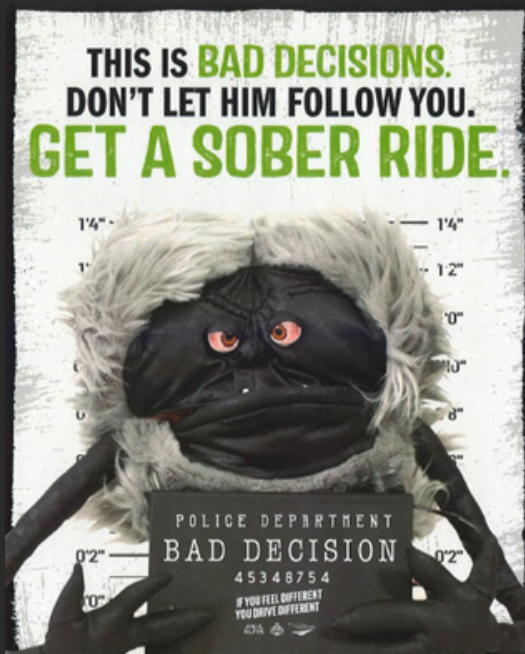
**Don't let bad decisions
ruin your life.**

The Effects of Alcohol, Medication and Illegal Drugs

One of the toughest things a law enforcement officer will ever have to do is to inform someone that their loved one was killed in a vehicle crash, especially since car crashes are avoidable, specifically those crashes that involve impaired drivers. MoDOT's Highway Safety Office (HSO) has partnered through the years with other state agencies, state universities, and law enforcement offices across the state to battle impaired driving on our roadways.

When it comes to making the right decision about safety, and the safety of others on the road, there is only one decision, don't drive impaired. When thinking about impairment, the natural tendency is to associate only alcohol; however, impairment can happen with drugs as well. Currently, Missouri has medical marijuana to contend with, which was passed in 2018, and now adult use marijuana, which passed in 2022, both of which will most certainly correlate to an increase in the number of impaired drivers on Missouri roadways.

These drugs could be both legal and illegal, prescription medications, and over-the-counter medications. Alcohol and drug impairment can slow reaction times and result in cognitive issues while driving.



WAYS TO COMBAT IMPAIRED DRIVING:

- ◆ Promote Responsible Alcohol Service
- ◆ Promote Transportation Alternatives
- ◆ Conduct Community Based Programs
- ◆ Ignition Interlock Devices
- ◆ Drug Treatment Courts
- ◆ Drug Recognition Experts (DREs)
- ◆ Law Enforcement Phlebotomists (LEPs)

HIGH DRIVING IMPAIRED DRIVING

Consuming alcohol, in conjunction with drugs, even in small amounts, compounds the effects of impairment.

Consequences

When driving, it is important to remember the consequences of your actions, other people can be harmed or killed as a direct result of your bad judgment.

If caught driving while impaired by alcohol or drugs, your license can and will be revoked.

DWI is not only illegal but is a criminal offense. Each year, over 5,000 people are killed or injured on Missouri Roads and highways in impairment-related crashes. Offenders won't just get a ticket – they can be incarcerated, lose their license and pay significant fines and legal expenses. Here are some of the consequences if convicted of DWI:

First offense (or first offense in over five years), the license will be revoked for 30 days followed by a 60-day suspension and can be sentenced to up to 6 months in jail and fined up to \$1,000.

Second offense, could be fined \$2,000, sentenced to up to a year in jail and a year-long revocation of the license. The offender will also be required to install a breath alcohol ignition interlock device (BAIID) on their vehicle, preventing their car from starting when they have alcohol on their breath. Ignition interlock systems cost an average of \$800 a year, plus installation costs.

A third and subsequent offender can be deemed an aggravated offender and face increasing penalties for each conviction. Multiple convictions, such as this, may mean prison terms of up to fifteen (15) years and fines up to \$10,000.

If they cause a fatal crash while intoxicated, they could be charged with DWI causing a death, which is a Class C felony and carries a penalty of 3 to 10 years in prison and up to a \$10,000 fine.

Driving with your BAC above the legal limit.

If your blood alcohol concentration (BAC) is above the legal limit, you're legally intoxicated. If you are stopped under suspicion of DWI, you may be asked to take a breath alcohol test. The result of a breath alcohol test alone is evidence for a DWI conviction. In Missouri, refusal to take a breath alcohol test can result in immediate loss of your driver's license.

Individuals should not drive until the effects of the impairing substance are no longer felt.

Ignition Interlock

A Breath Alcohol Ignition Interlock Device is a breath testing device, including all parts necessary for operation, e.g., handset and camera, installed in a vehicle that prevents it from operating if the breath test registers a breath alcohol concentration that meets or exceeds the alcohol set point. The device also requires the driver to continue to pass repeated breath tests while the vehicle is running to ensure that the driver remains below the alcohol set point. However, the interlock device will not interfere with the normal operation of the vehicle while it's in use.

Missouri law requires any person guilty of a second or subsequent intoxication-related traffic offense to install an ignition interlock device on any vehicle they operate before reinstating driving privileges.

Each ignition interlock provider is responsible for reporting ignition interlock compliance to the Department of Revenue and/or the court-ordered supervising authority. The approximate cost to an offender for an ignition interlock is \$900 per 6 month term, which could be higher if a camera requirement is ordered.

To view the Administrative Rules which establish the standards for the Breath Alcohol Ignition Interlock Device Certification and Operational Requirements visit <https://www.sos.mo.gov/CMSImages/AdRules/csr/current/7csr/7c60-2.pdf>.

One and you're done.

Even though it may be legal to drive after one drink, that doesn't mean you should. Even one drink influences your mind and your body. Experience cannot compensate for a lack of motor skills or impaired judgment. Since you may not realize this until you are behind the wheel, it is not safe to drive after consuming any amount of alcohol.

GDL Special Considerations

Missouri has a Graduated Driver License (GDL) law to help new drivers develop their driving skills safely. The program consists of three stages: the instruction permit stage, the intermediate license stage, and the full driver's license stage. Missouri has a "Zero Tolerance Law," which means that any driver under the age of 21 who is found to have a blood alcohol concentration (BAC) of 0.02% or higher can face legal consequences, including license suspension, fines, jail time, mandatory substance abuse programs, and criminal charges.

Instruction Permit Stage: Starting at age 15, you can apply for an instruction permit. Breaking the Zero Tolerance Law at this stage can result in your permit and driving privileges being suspended or revoked. Your parents may also receive criminal charges. You cannot graduate to an intermediate license if you have any alcohol-related convictions within the last 12 months.

Intermediate License Stage: After holding an instruction permit for at least 182 days and reaching the age of 16. Driving under the influence of alcohol or drugs is prohibited for underage drivers with an intermediate license. Breaking the Zero Tolerance Law at this stage can lead to license suspension, fines, time in jail, mandatory alcohol education programs, and criminal charges for you or your parents. You cannot get your full driver's license if you have any alcohol-related convictions within the last 12 months.

Full Driver License Stage: At the age of 18, drivers who have successfully completed the instruction permit and intermediate license stages can apply for a full driver's license in Missouri. At this stage, underage drivers are still prohibited from driving under the influence of alcohol and drugs. The consequences for breaking the Zero Tolerance Law at this stage can lead to severe consequences including penalties on your driver's license, license suspension, fines, jail time,

mandatory alcohol education programs, and criminal charges. If you are convicted of multiple alcohol-related offenses, you can lose your driver's license for up to 10 years or more.

Minor In Possession Considerations

Missouri law prohibits any person under the age of 21 from purchasing or attempting to purchase or having in his or her possession any intoxicating liquor. Being visibly intoxicated or a having a detectable blood alcohol concentration of .02 or more is also prohibited, even if no alcohol container is present. The first violation is a class D misdemeanor, punishable by a fine of up to \$500. A second or subsequent offense is a class A misdemeanor, punishable by up to one year in jail and/or a fine of up to \$2,000. If the person is under the age of 18, his or her driver's license may also be suspended for 90 days.

A person under 21 who purchases or attempts to purchase intoxicating liquor, who has intoxicating liquor in his or her possession, or who is visibly intoxicated is deemed to have given consent to a chemical test to determine his or her blood alcohol concentration.

CDL Special Considerations

A Commercial Drivers License (CDL) is not a standard driver's license but is a specialized license to operate commercial motor vehicles (CMV). As a CDL holder, there are special laws and regulations in order to retain the privilege. These conditions are more stringent than those placed on a person with a standard driver's license.

Pursuant to 49 CFR Part 382, no driver shall perform safety-sensitive functions, including driving a CMV, if the driver has engaged in the following conduct:

- ◆ report to duty with an alcohol concentration of 0.04 or greater;
- ◆ consume alcohol while on duty; or
- ◆ has consumed alcohol in the prior four (4) hours

No employer shall permit any CDL holder to perform safety-sensitive functions, including driving a CMV, if the employer has determined that the driver has violated any of the above.

Holders of a Commercial License Permit (CLP) or CDL (including individuals required to have a CLP or CDL) are subject to disqualification sanctions if the holder drives a CMV or non-CMV (including their personal vehicle) and is convicted of alcohol or controlled substance violations.

DID YOU KNOW?

It is a Federal offense to have any alcoholic beverage in the cab, sleeper, or anywhere else in a CMV, except as part of a manifested load in the trailer. Not even a passenger can possess alcohol in a CMV!

For example, if a driver is operating any motor vehicle and is convicted of being under the influence of alcohol or a controlled substance:

- ◆ for a first conviction or refusal to be tested, the person must be disqualified from operating a CMV for 1 year
- ◆ for a first conviction or refusal to be tested while operating a CMV transporting hazardous materials required to be placarded, the person must be disqualified from operating a CMV for 3 years
- ◆ for a second conviction or refusal to be tested while operating a CMV or non-CMV, the person must be disqualified from operating a CMV for Life

These more stringent rules are put in place to prevent incidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of CMVs.

Resources:

Alcoholics Anonymous (AA): www.aa.org

Department of Revenue (DOR): www.dor.mo.gov

Mothers Against Drunk Driving (MADD): www.madd.org

Narcotics Anonymous (NA): www.na.org

Substance Abuse and Mental Health Services
Administration: <https://findtreatment.samhsa.gov/>

Substance Awareness Traffic Offenders' Program
(SATOP): www.dmh.mo.gov/behavioral-health/satop

Office of State Courts Administrator (OSCA) – DWI
Treatment Courts: www.courts.mo.gov

MO Rides: www.morides.org

*Missouri Coalition
for Roadway Safety*



saveMOlives
Buckle Up. Phone Down. Slow Down. Drive Sober.

This booklet paid for with federal highway safety funding
by the Missouri Department of Transportation.