

**Do you know what a
DUI will cost you?**



- Anyone who thinks a DUI is “no big deal”
- All Montana drivers
- Parents of young drivers
- Employers
- Educators
- Health professionals

On average, each year on Montana’s roads, alcohol/drug-related driving has been a factor in

- 10 percent of all traffic crashes
- roughly 20 percent of all injuries
- almost 50 percent of deaths

Were these preventable? WE CAN DO BETTER!

What’s the big deal about DUI?

“I’ve been drunk and driven home before.... lots of times. Nothing has ever happened.”

That’s the deception...

Just because you’ve done it before doesn’t mean you will always get away with it. Ask any of the individuals who thought the same thing...and are now in prison for killing someone.

So the big deal about DUI is it’s a lot like Russian roulette.

When you launch a 3000-pound vehicle down the road, and your ability to operate that vehicle is impaired, you can do a lot of damage...to yourself and to innocent people.

**Bottom line:
It’s not worth the risk.**

Serious traffic convictions stay on your driving record for life. It may be used:

By your vehicle insurer: From date of conviction for three to five years, your insurance company may require higher rates. They may cancel your policy.

By the courts: DUI convictions stay on your record for life. They stack up: A fourth DUI conviction is a felony. Your DUI may be considered in any future sentencing, no matter how minor.

By your employer: Positions that require driving include regular review of your driving record. Even if you were DUI in a private vehicle, your commercial driving privileges can be suspended—possibly for life.

By the Motor Vehicle Division: After just one DUI/BAC conviction, your driver license will be suspended: first offense, suspended for 6 months; subsequent offense, license suspension for 1 year or more.

By the federal government: Driving records are checked during naturalization/citizenship proceedings and for military security clearance.

By rental car companies: Many companies will check customers’ records and reject those who don’t meet their standards.

By Border Security: U.S. citizens with a DUI need formal approval from authorities in order to enter Canada.



Know Montana's law...

Driving under the influence is a **crime**—the most deadly crime in America. If you are found driving while impaired, expect to be arrested and go to jail.

Refusing a breathalyzer test won't help. In many cases, an officer can phone a judge for an immediate search warrant to draw blood evidence from you.

What is BAC? Alcohol concentration is measured by the percentage of alcohol (ethanol) in the blood or breath.

BAC: It is illegal to operate a motor vehicle with blood or breath alcohol concentration (BAC) of 0.08 or higher. No proof of impairment is required. It's all about the BAC.

- A commercial vehicle operator's threshold is a BAC of 0.04.
- The threshold for persons under age 21 is a BAC of 0.02.

§ 61-8-406 and 410, MCA

THC: Marijuana-impaired driving. A 2013 law establishes 5 ng/ml of Delta-9-tetrahydrocannabinol as excessive marijuana concentration. No proof of impairment is required. It's all about the THC.

§ 61-8-406, MCA

DUI: It is illegal to drive while under the influence of alcohol and/or drugs.

BAC is not required for a DUI conviction; the evidence is your diminished ability to operate a vehicle safely.

§ 61-8-401, MCA

With sufficient evidence of impairment, you can be convicted of DUI even if your BAC is below 0.08.



Aggravated DUI: You could be charged with Aggravated DUI if you are driving under the influence or with a BAC of 0.08 or more plus one of the following:

- BAC is 0.16 or higher
- Already subject to ignition interlock restrictions
- Driver's license or privilege to drive is suspended, canceled, or revoked as a result of a prior DUI/BAC violation
- Prior refusal to provide a breath or blood sample
- Prior DUI/BAC conviction
- Pending charge for DUI/BAC

§ 61-8-465, MCA

Felony DUI

A 4th DUI conviction is a felony. Any convictions for BAC, DUI, and Aggravated DUI count. Penalties include a fine up to \$10,000 and sentencing to the Department of Corrections for rehabilitation. This could be prison or a 6-month inpatient treatment program called WATCH—followed by treatment aftercare and monitoring by a DOC probation officer. This includes random drug/alcohol testing, community service, no alcohol consumption, and no bars. You may not be allowed to get a driver's license. If you are allowed to drive, the vehicle must have an ignition interlock system.

§ 61-8-731, MCA

Vehicular homicide while under the influence

If you injure or kill someone while DUI, you can be convicted of vehicular homicide while under the influence. Expect a prison term up to 30 years and fines up to \$50,000, or both.

§ 45-5-106, MCA

MCA = Montana Code Annotated

The Cost of DUI

To Your Bank Account:

In overall costs, a DUI can cost a first offender \$5,000 to \$6,000.

- Fines: \$300 – \$1,000
- Court costs/fees: \$135 (if there is no trial)
- Jury/witness costs: \$400-\$500 (for a trial)
- Attorney fees: \$150 for public defender and \$70/hour if it goes to trial or \$100-\$300/hour for private counsel
- Vehicle impound and towing
- Chemical dependency assessment and mandatory alcohol classes: \$325 or more
- Driver license reinstatement fee: \$200

Additional options that the Judge may order:

- Victim's Impact Panel: Cost varies
- Ignition Interlock: \$75-\$120 installation plus \$70/month
- Transdermal alcohol monitoring device: \$10-12/day or \$300-360/month
- 24-7 Sobriety Program: \$4 per day or \$120/month

If the alcohol assessment mandates treatment, you could pay thousands of dollars out-of-pocket.

A DUI crash may easily cost more than \$100,000 if injuries are involved. Your wages could be garnished indefinitely due to a civil judgment for personal injury and punitive damages if anyone was injured or killed while you were driving under the influence.



Is that drive home worth the chance you could lose your house?

Have a prior DUI? Repeat offenders can expect to pay even more, especially under changes to Montana's DUI laws enacted in 2013.

To Your Insurance:

Most standard insurance companies won't insure individuals with two or more major violations: a DUI counts as two because of license suspension. Some companies will move you to a "high risk" pool with higher rates.



One DUI could double your auto insurance rate. If you get any additional traffic violation citations, the insurer may add another 30% to the already doubled premium.

A second DUI may triple your insurance premium, if the company will even insure you.

If there is a driver in the household with a suspended license, the insurance company may cancel the **entire household's** coverage. If you have an umbrella policy that covers your boat or motorcycle, you will lose that insurance, too.

Insurance companies typically look back 3 to 5 years for rate calculation, so a DUI will affect your vehicle insurance rates for several years.

No company car

If driving is part of your job, your employer's insurance rates may go up as well. Fleet vehicle insurance policies disallow operators with a DUI.

Your Better Judgment is the First to Go

"I only have to go a short distance."

"I'll take the back roads."

"I'll drive slowly; I'll be fine."

Alcohol affects judgment. So if you've been drinking, you can't rely on your brain to make good decisions about driving.

By the time you reach 0.08 BAC, you perceive you're functioning better than you actually are. Driving skills—such as braking, steering, judgment and focus, among others—begin to deteriorate at 0.05 BAC or even lower. Laboratory and test track research shows that virtually all drivers, even experienced drinkers, are substantially impaired in critical driving tasks at 0.08.



Studies have also shown that alcohol makes you more likely to take risks and underestimate the potential consequences.

Meanwhile, alcohol slows down your reaction time to hazards: you may not react at all.

DUI consequences can devastate families and futures.

A Better Idea, Plan Ahead

- Arrange for a sober friend to pick you up and take you home. **Don't like asking for a lift?** Imagine the hassle of begging rides when you lose your license.
- Choose a bar next to a hotel. A room is extremely cheap compared to the cost of a DUI.
- Take turns being the responsible person who picks everyone up and takes them home safely. Chip in for a free dinner and a tank of gas for the sober driver.
- Plan in advance for a taxi ride or a shuttle. Find out if your community has a safe-ride program.
- Avoid drinking where driving alternatives are limited.
- Space your drinking. Drink water or non-alcoholic beverages between drinks.
- Limit your drinking—quit after 2 or 3 drinks and wait at least 2 hours before driving home.
- Moderate the absorption of alcohol by eating food. Avoid drinking on an empty stomach.



**Above all, be smart.
Don't ever get into a vehicle
with a driver who has been drinking
—even yourself!**

The cost of DUI lasts a lifetime.

Learn more about the full cost of DUI:

- Impact on career
- Unexpected and unwanted reminders
- Emotional and psychological burden
- Reduced freedom
- Lost opportunities

Go to:

plan2live.mt.gov

a safety movement from the Montana Department of Transportation

MONTANA'S DUI TASK FORCES

preventing impaired driving and crashes

...AT THE COUNTY LEVEL



www.mdt.mt.gov

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