NORTH CAROLINA
GOVERNOR'S HIGHWAY SAFETY PROGRAM

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Booze It & Lose It

North Carolina
Governor's Highway Safety Program

North Carolina Department of Transportation

Booze It and Lose It

What is DWI?

The acronym DWI stands for driving while impaired.

Drivers are guilty of driving while impaired if:

- Their alcohol concentration meets or exceeds .08, or
- They are under the influence of, or affected by, alcohol and/or other drugs.

What is North Carolina's Law?

The law:

- Imposes a $4,000 maximum fine for DWI offenses.
- Creates a "zero tolerance law" for underage drinkers, and drivers of commercial vehicles, school buses and day care vehicles.
- Imposes a 30-day administrative driver license revocation for persons who refuse to take the Intoxlilyzer breath alcohol test or who have 0.08 blood alcohol concentration or 0.01 BAC if underage.
- Allows vehicle seizure and forfeiture for a driver who is impaired and whose license is revoked for DWI, or who is impaired and has no license and no insurance.

What happens if you are stopped for being suspected of DWI?

- You may be required to display your drivers license and registration card.
- You may be required to get out of your vehicle.
- You may be required to perform a preliminary sobriety test and a preliminary breath test.
- You could be arrested, searched, handcuffed, restrained in a patrol vehicle and transported to a law enforcement facility for a breath or blood test or both.
- If you refuse to take a breath or blood test, you could lose your driver license for one year.
- If you refuse to be tested or test results are .08 or higher at the time you are tested, your driver license will be revoked immediately for at least 30 days.
- If charged with DWI, you will be required to appear in court and enter a plea to a criminal offense.

What happens to offenders younger than 21?

Drivers younger than age 21 are guilty of illegally operating a vehicle if:

- They have any alcohol in their system, thus exceeding the 0.00 threshold, or
- They are under the influence of or affected by alcohol and/or other drugs.

Penalties for drivers younger than age 21 who are convicted of DWI:

- Mandatory revocation of driver license for one year in addition to any other punishment required or authorized by law.
- Mandatory substance abuse assessment or Alcohol and Drug Education Traffic School required.

What happens if you are convicted of DWI?

FIRST CONVICTION

- Mandatory revocation of your driver license for one year.
- Once your driver license is restored, your legal alcohol concentration will be lowered to 0.04 for three years.
- Minimum punishment is a fine up to $200 and a minimum 24 hours imprisonment, 24 hours community service or any combination of these.
- Maximum punishment is a fine up to $4,000 and imprisonment of no less than 30 days or more than 24 months.

If you are convicted and have an alcohol concentration of 0.16 or higher, you will be required to have an ignition-interlock system installed in your vehicle, at your expense, before you are allowed to drive.

SECOND CONVICTION

- Mandatory driver license revocation for a period of four years if convicted within three years of the first offense.
- Once your driver license is restored, your legal alcohol concentration will be lowered to 0.00 for seven years.
- Minimum punishment is a fine up to $2,000 and imprisonment of no less than seven days or more than 12 months.
- Maximum fine and imprisonment is the same as for the first conviction.
- No limited driving privilege if second offense occurs within seven years of first conviction.

You will be required to have an ignition-interlock system installed in your vehicle for three years, at your expense, before you are allowed to drive.

THIRD CONVICTION

- Mandatory permanent driver license revocation when at least one of the prior convictions was within the last five years.
- Minimum/maximum punishment same as maximum punishment for second conviction.

If your driver license is restored, you will be required to have an ignition-interlock system installed in your vehicle for seven years, at your expense, before you are allowed to drive.

FOURTH CONVICTION

- Mandatory permanent lifetime driver license revocation with no limited driving privileges.
- Conviction is considered a felony if you have had three prior DWI convictions within the last 10 years. Minimum punishment is 12 months imprisonment; maximum is 59 months imprisonment and a fine.

Remember, it's .08

DWI CONVICTIONS CAN ALSO CAUSE YOU TO LOSE YOUR VEHICLE.

- If you drive your car when your driver license is revoked for DWI or other offenses involving alcohol and driving or you had no driver license and insurance on the vehicle and are charged with DWI, your car will be seized and held pending trial.
- If you are convicted of DWI and drive while your driver license is revoked or you have no driver license and insurance on the vehicle, your car will be sold and the money will be donated to a local school system. You will also be prohibited from registering a car in your name until you get your driver license back, which may be four years or more.

HOW MUCH WILL A DWI CONVICTION COST?

Actual costs for a DWI conviction differ from case to case. One thing is certain — a DWI conviction is expensive, time-consuming and represents a heavy burden. Direct costs you can expect if you are convicted of DWI include:

- Attorney fees (between $500 and $1,500).
- Jury trial or appeal to a higher court boosts costs even more.
- Fines up to $4,000.
- Insurance premium increase up to 400 percent.
- Your driver license can be revoked for one year for the first offense; four years for the second and permanently for the third or more offenses.
- Pretrial driver license revocation fee of $50.
- Substance abuse assessment fee of $100.
- A minimum of $75 for substance abuse treatment *and* $160 for ADET school.
- If ordered to do community service, pay a fee of $200.

BOOZE IT & LOSE IT.