

IN COLORADO A DUI IS .08

Starting July 1, 2004, the legal limit for DUI in Colorado has been lowered from .10 to .08. This means that Colorado's tough penalties for DUI now apply to drivers who are arrested and convicted of driving with a .08 blood alcohol content (BAC).



A DUI conviction in Colorado is costly and has long-term effects, not just on your wallet, but also on your lifestyle and your ability to work. In Colorado, drivers convicted of a DUI lose their licenses for a full year, and are subject to community service time and alcohol evaluation as well as fines, fees and other costs.



For persons convicted of a second or third offense, the penalties are even tougher, with mandatory jail time,

higher fines, and even provisions to install an ignition interlock system on your vehicle to assure you don't get behind the wheel while intoxicated.

Under Colorado's Persistent Drunk Driver Law, on a first conviction, a driver with a BAC of .20 or greater will face the higher costs and tougher penalties outlined for a second offense. Convicted drivers with a .20 BAC or greater will also be required to complete Level II alcohol education and treatment.



BEING ARRESTED FOR A DUI IS NOT ONLY EMBARRASSING, IT'S AN EXPENSIVE HASSLE

IF YOU ARE ARRESTED

- You'll be detained by the police and read your rights.
- Your car will be impounded and towed away.
- You'll be handcuffed and taken to a police station or county jail in a police cruiser.
- You'll be offered a breath or blood test. If you refuse the test, the officer will immediately take your driver's license and you stand the risk



of losing your license for one year.

- You will be held in a jail cell, or an alcohol detox facility, until you are sober or no longer a danger to yourself or others.
- You will be required to pay bail to be released from jail.

IF YOU ARE CONVICTED OF A FIRST DUI OFFENSE

- You will be fined from \$300 to \$1,000.
- You could be sentenced to jail - from five days to one year.
- You will be required to perform 48 to 96 hours of community service work.
- Your license will be suspended for one year.
- You will have to pay \$60 to reinstate your license, and another \$25.60 to obtain a new license.
- You likely will have to attend alcohol education classes and treatment for 3 - 9 months.
- Your auto insurance (if it's not canceled) could go up 30 % on average.



IF YOU ARE CONVICTED OF A SECOND DUI OFFENSE

- You will be fined from \$500 to \$1,500.
- You can be sentenced to 90 days to one year in jail, and a 10-day term is often the minimum jail time imposed.
- You will be required to perform 60 to 120 hours of community service.
- Your license is revoked for one year - with no opportunity to operate a motor vehicle.
- You will have to pay \$60 to reinstate your license, and another \$25.60 to obtain a new license.
- You likely will have to attend alcohol education classes and treatment for 10 to 13 months.
- Your auto insurance will be canceled.

The penalties above apply to drivers who are convicted of a DUI offense and already have a conviction for DUI, Vehicular Assault, Vehicular Homicide or are driving with a suspended or revoked license.



SOBERING FACTS

VEHICULAR HOMICIDE

Vehicular Homicide is a Class III Felony in Colorado. If you are convicted of drunken driving in a crash in which a person is killed, you can be sentenced to a minimum four years in prison, and the judge may sentence you up to 12 years in prison.

SERIOUS BODILY INJURY-VEHICULAR ASSAULT

If you are convicted of drunken driving in a crash in which another person is seriously injured, the crime of Vehicular Assault is a Class IV Felony. You can be sentenced to a minimum of two years in prison, or you could receive a sentence of up to six years in prison.

DRIVING UNDER LICENSE SUSPENSION OR REVOCATION

If you are caught driving while your license is under suspension or revocation for a DUI offense, you face a mandatory 30 days in jail.

There were over 30,000 arrests for DUI or DWAI (Driving While Ability Impaired) in Colorado in 2003. In 2003, the average BAC of those arrested was .155 percent. To reach .15, a 140-pound person would have to consume about 8 drinks (beer, wine, or cocktails) over a four-hour period.

Colorado has stepped up its drunken driving enforcement with a commitment to reducing alcohol-related injuries and deaths. Police and sheriffs' agencies statewide, the Colorado State Patrol and Colorado State Parks participate in intensive enforcement efforts such as "The Heat Is On" and "DUI Checkpoint Colorado."



THE HEAT IS ON!



THIS SIX PACK COST **\$9,481**

CARE TO WASTE THAT KIND OF MONEY?

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CARE TO WASTE THAT KIND OF MONEY?

The cost of being arrested and convicted of drunk driving in Colorado is expensive. What individual offenders pay will vary based on different factors. The costs outlined in this brochure are average costs. Each case is different and while some costs may be less, others may be higher. A second or third offense will cost much more than a first offense. Below are explanations of how some costs may vary:



- The fee to tow a car is \$65 but you will also pay an average additional \$2.50 per mile.
- Bail fees are 15% under 10,000 and the minimum bond is \$1,000. Bail fees are 10% over \$10,000 and require collateral.
- Jail fees range from \$10 to \$50 per bond.
- Defense attorney fees of \$2,500 are not unusual, but fees for a trial vary according to the facts of the case, the attorney's individual rates and whether the attorney also handles the Department of Revenue suspension hearing.
- Fines range from \$300 to \$1,000 for a first DUI conviction
- Restitution costs shown are for chemical testing. This does not include restitution costs for any property damage caused by a DUI crash.
- Probation supervision fees can cost up to \$1,200 while in some cases probation will not be required.
- Alcohol education classes are usually required and treatment may also be required based on an initial evaluation done by the Probation Department and the sentencing judge's discretion. Fees for classes and treatment range from \$150 to \$950.
- Assuming your insurance company doesn't drop you immediately, your insurance costs will increase significantly for at least three years. Buying insurance through a "high risk" agency will cost substantially more. Even after the three-year penalty period, you may have to wait another five years, and have no citations or accidents during that time to resume a "preferred" insurance classification.

A FIRST DUI CONVICTION WITH A BAC UNDER .20 COULD COST AT LEAST

\$9,481 IN COLORADO

Cost to tow your car	\$65
Car storage fee per day	\$20
Bail fee (average 15% of required bond)	\$150
Jail Filing fees	\$10
Defense attorney's fee	\$2,500
Minimum fine	\$300
Victim Assistance Fund	\$78
Victim Compensation Fund	\$25
Law Enforcement Assistance Fund	\$90
Alcohol Evaluation	\$181
Restitution cost for chemical testing	\$30
Probation supervision fee	\$600
Community service supervision fee	\$60
License reinstatement fee	\$60
Drivers' license retesting and new license	\$25.60
Brain Injury surcharge	\$15
Court cost	\$21
Alcohol Education Classes/Treatment	\$425
Victim Impact Panel assessment (if ordered) ..	\$25
Auto Insurance increase	\$4,800

TOTAL \$9,481

Information provided by the following agencies:
 Alcohol and Drug Abuse Division, Colorado
 Department of Human Services
 Colorado Criminal Defense Bar
 Colorado District Attorneys Council
 Colorado Judicial Department
 Motor Vehicle Division,
 Colorado Department of Revenue
 Rocky Mountain Insurance Information
 Association

BOATERS UNDER THE INFLUENCE (BUI) BEWARE!

It is a misdemeanor in Colorado to operate or be in physical control of a motorboat or sailboat while under the influence of alcohol, controlled substances, or any other drug. By operating or being in physical control of a motorboat or sailboat in Colorado you are deemed to have already expressed consent to submit to a test of your blood, breath, saliva, or urine. Refusal to submit to tests may be admissible in any subsequent prosecution for **Boating under the Influence (BUI)**.

A first time conviction will result in punishment by imprisonment in the county jail for five days to one year and the loss of the privilege to operate a motorboat or sailboat for three months. In addition, the court may impose a fine of \$200 to \$1000, or useful public service time of up to 96 hours, or both. A second conviction within five years results in imprisonment for 60 days to one year, useful public service for 60 hours to 120 hours, and loss of the privilege to operate a motorboat or sailboat for one year. Additionally, the court may impose a fine of \$500 to \$1,500.

It is also a misdemeanor in Colorado for any owner or operator of a motorboat or sailboat to knowingly authorize operation or physical control by any person under the influence of alcohol, controlled substances, or any other drug. Conviction of this will be punished by imprisonment in the county jail of up to one year, or by a fine of \$200 to \$1,000, or by both imprisonment and a fine.



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\$9,481

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Drinking and Driving is a costly Mistake