

Did you know?

- On average someone is killed by a drunk driver every 45 minutes.
- Car crashes are the leading cause of death for teens and one out of three of those are alcohol related.

All fees are subject to change based on legislation. Visit <http://www.ncga.state.nc.us/> for up-to-date law and statute information.

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Booze It & Lose It.



What is DWI?

The acronym DWI stands for Driving While Impaired.

Drivers are guilty of driving while impaired if:

- Their alcohol concentration (BAC) meets or exceeds 0.08, or
- They are under the influence of, or affected by, alcohol and/or other drugs.

North Carolina's Law:

- Imposes a \$10,000 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 alcohol or drug test requested by an officer, or who have a 0.08 BAC or 0.01 BAC if underage 21.
- 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 driver 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 test results are 0.08 or higher at the time you are tested, your driver license will be revoked immediately for at least 30 days.
- If you refuse to be tested when asked, your license will be revoked immediately for at least 30 days, plus the charging officer can require you to provide a blood sample for testing and there is no right to refuse.
- If you refused to be tested when asked, DMV will revoke your license for one year, in addition to the immediate 30-day pretrial revocation even if the officer required you to submit to a blood test.
- You may be booked into jail, a mug shot taken and your mug shot published for everyone to see.
- If charged with DWI, you will be required to appear in court and enter a plea to a criminal offense.

North Carolina Department of Transportation
Governor's Highway Safety Program

About three in every 10 Americans will be involved in an alcohol-related crash at some time in their lives.

Save a life. Drive sober.

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.
- In addition, if you are convicted and have an alcohol concentration level of 0.15 or higher:
 - All driving privileges suspended immediately for 45 days.
 - At the end of 45 days, the judge can issue a limited driving privilege, which will only allow you to drive to and from your place of employment, or where you are enrolled in school, to any court-ordered treatment or substance abuse education, and to any ignition-interlock service facility.
 - For one year you are required to have an ignition-interlock system installed in your vehicle at your own expense. This device tests your breath for alcohol before allowing you to start your car and while you are driving.

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.
- If second offense occurs within seven years of first conviction, all driving will be prohibited for at least one year and no limited driving privilege can be issued.
- 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.
- Fined up to \$10,000 and imprisoned for not less than 12 months up to 36 months.
- 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 for at least 10 years.
- 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.

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 the court determines that when you were driving while impaired your driver license was revoked or you had no driver license and no 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.

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).
 - Court costs of \$190.

- Jury trial or appeal to a higher court boosts costs even more.
- Fines up to \$10,000.
- Insurance premium increases 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 \$100.
- Limited driving privilege fee of \$100.
- Substance abuse assessment fee of \$100.
- A minimum of \$75 for substance abuse treatment and \$160 for ADET school.
- If ordered to perform community service, pay a fee of \$250.
- DWI fee of \$100.
- Drivers License restoration fee paid to DMV of \$100.

Other costs from DWI convictions

- Many employers will not hire and may terminate a person due to a DWI conviction because of higher insurance costs.
- Schools and colleges may reject an applicant with a DWI conviction in favor of an applicant without a DWI conviction.
- The military may delay entry, reject, or separate a person due to a DWI conviction.

**BOOZE IT
& LOSE IT.**



*Impaired driving is no accident — nor is it a victimless crime.
Alcohol and driving don't mix.*