



DRIVING IN MONTANA



IMPAIRED DRIVING

BLOOD ALCOHOL CONCENTRATION (BAC) The percentage of alcohol in your blood.

As your BAC increases, your vision, coordination, and concentration declines, judgement is affected, and your ability to safely operate a vehicle diminishes.

DRIVING UNDER THE INFLUENCE (DUI) Diminished ability to safely operate a vehicle as a result of taking alcohol and/or drugs.

This includes medical marijuana and prescription medication.

DUI may be established through driving behavior, field sobriety testing, breath testing, or blood testing.

- ➔ **0.08%** = DUI
- ➔ **0.04%** = DUI for a commercial driver
- ➔ **0.02%** = Offense for a person under 21
- ➔ **0.16%** = Aggravated DUI
- ➔ **5 ng/ml** = of THC is a DUI

Driving Under the Influence with children under the age of 16 increases penalties that may include felony charges of criminal child endangerment.

IMPLIED CONSENT

If there is probable cause to believe you are driving under the influence, you are required to take a breath or blood test.

IF YOU REFUSE TO TAKE THE TEST

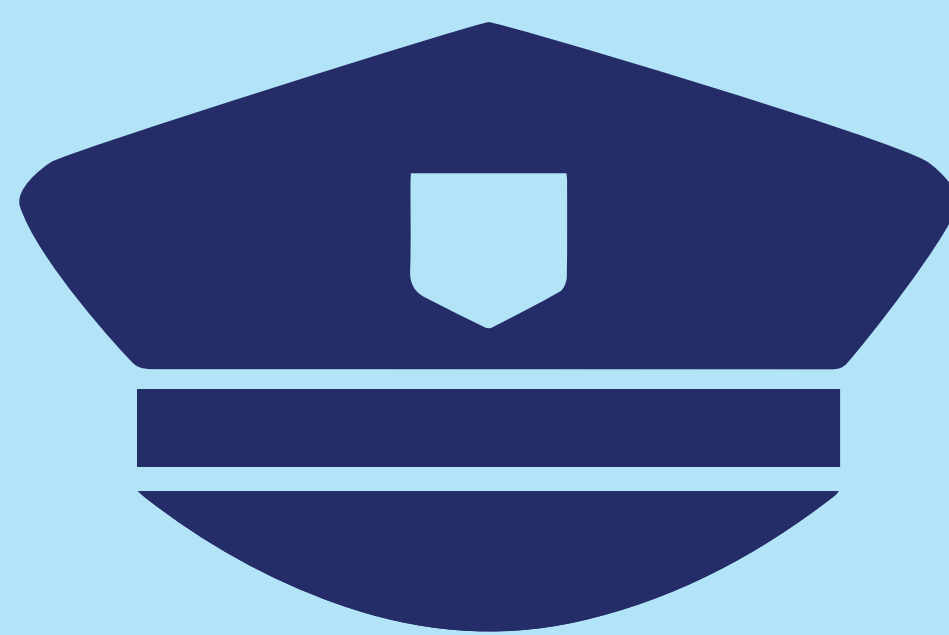
- Suspended license 6 months to 1 year.
- Not eligible for a probationary license
- \$200** reinstatement fee
- \$300** administrative fee

Over the last decade, approximately

73%

of crash fatalities in Montana were caused by impaired driving or not wearing a seatbelt.

ODDS OF GETTING CAUGHT ARE HIGH



Specialized patrols for catching impaired drivers

Officers are specially trained in DUI investigations, field sobriety testing, and drug recognition

Ability to get search warrants (blood) to gather evidence

Prosecutors and Judges are trained and equipped with resources for DUI Offenses

CONSEQUENCES

COURT REQUIREMENTS

- Jail • Fines • ACT ASSESSMENT EDUCATION CLASS TREATMENT
- Enhanced penalties for high BAC, DUI with a child in your vehicle, or for commercial drivers

COURT MONITORING

- 24/7 drug/alcohol monitoring
- Ignition interlock
- Probation
- Treatment court

FELONY CRIMES

- Negligent or vehicular homicide
- Vehicular assault
- Criminal endangerment
- Criminal child endangerment
- 4th and subsequent DUIs

OTHER IMPACTS

- Loss of job • Access into Canada
- Lawyer fees • Increased insurance

DRIVER LICENSE

- Sanctions increase for repeat DUI offenders

SUSPENSION

- 1st offense = six months
- 2nd + offense = one year

REVOKED

- Felony crimes associated with DUI

PROBATIONARY LICENSE

- Essential driving only
- 45 or 90 day waiting period for repeat offenders (can be waived for 24/7 or treatment court participation)

LICENSE RESTATEMENT REQUIREMENTS

- \$200 reinstatement fee
- Mandatory Assessment Course Treatment (ACT) for repeat DUI offenders

COMMERCIAL DRIVER LICENSE (CDL)

MAJOR OFFENSES:

SUSPENSION

1 Offense **1YR** **2** Offense **LIFETIME**

- Refusal to take test under implied consent law
- Driving **any motor vehicle** while under influence of alcohol or drugs
- 0.04% BAC while driving a CMV
- Leaving the scene of an accident involving death or personal injury

FELONY INVOLVING CONTROLLED SUBSTANCE IN CMV = **LIFETIME CDL SUSPENSION**

YOUR DRIVING RECORD IS PERMANENT

From year to year, and from state to state, your driving history stays with you.

REMEMBER
having a license is a privilege
violating traffic laws can suspend or revoke your license

Alternative formats of this information will be provided upon request. For further information:

- ▶ (406) 444-3423 ▶ TTY(800) 335-7592
- ▶ www.dojmt.gov ▶ www.dojmt.gov/driving
- ▶ www.mdt.mt.gov ▶ www.mdt.mt.gov/visionzero