

# What is D.U.I.?

Driving Under the Influence is defined as operating a motor vehicle while impaired by alcohol, other drugs or intoxicating compounds including methamphetamine and marijuana.

In Illinois, a driver is legally considered to be under the influence if he/she has a blood-alcohol concentration (BAC) of .08 or more, has used any illegal substance, or is impaired by medication. A driver's BAC is based on the ratio of alcohol to blood or breath. However, an individual with a BAC between .05 and .08 may be convicted of DUI if additional evidence determines that the driver was impaired. Just like a driver is considered impaired by alcohol at 0.08 BAC, a driver is also considered impaired if they have 5 or more nanograms per milliliter (NPM) THC of blood or 10 or more NPM of urine.

## How many drinks before I'm at .08?

The effect of alcohol on an individual is determined primarily by two factors: the amount of alcohol consumed and the rate at which it is absorbed by the body. Other contributing factors include gender, body weight, alcohol tolerance, mood, environment, and the amount of food consumed.

From the first drink, alcohol affects coordination and judgment. Even with a BAC well below .08, a person's reaction time slows. The risk of being in a crash begins to climb with a BAC between .04 and .05, and increases rapidly thereafter.

By the time a driver reaches a BAC of .06, he/she

## Knowingly Permitting a Driver Under the Influence to Operate a Vehicle

Is a Class A misdemeanor with possible imprisonment of up to 1 year and fines of up to \$2,500.

## Did you know?

- A DUI conviction is a permanent part of an offender's driving record.
- The offender may lose work time.
- The offender is required to complete an alcohol/drug evaluation and an alcohol/drug remedial education course, or substance abuse treatment program before driving privileges are reinstated.
- The offender must meet the requirements of the Secretary of State's Department of Administrative Hearings prior to obtaining an RDP (restricted driving permit).
- The offender's vehicle may be impounded or seized.
- A BAID may be installed on the offender's vehicle as a condition of driving relief. For more information on BAID requirements for driving relief following a DUI conviction please visit [www.cyberdriveillinois.com](http://www.cyberdriveillinois.com).
- The offender is required to carry high-risk auto insurance for 3 years.
- The offender's vehicle registration will be suspended.
- If a driver is convicted of DUI in another state, the conviction will be added to his/her Illinois driving record and result in revocation of driving privileges.

## Did you know?

Each of these drinks have a comparable amount of alcohol: one 12-ounce bottle of beer, one 5-ounce glass of wine or one 1.5-ounce shot of hard liquor.

Every day, almost 29 people in the U.S. die in alcohol-impaired vehicle crashes - that's one person every 50 minutes in 2016.

Alcohol-impaired motor vehicle crashes cost more than an estimated \$44 billion annually.

is twice as likely to be involved in a fatal crash as a non-drinking driver. By the time a driver reaches a BAC of .08, he/she is 11 times more likely to be killed in a single vehicle crash than a non-drinking driver.

## First Conviction

Class A misdemeanor (possible imprisonment of up to 1 year; fines of up to \$2,500); minimum loss of driving privileges for 1 year (2 years if driver is under age 21); suspension of vehicle registration.

## Second Conviction

Class A misdemeanor (possible imprisonment of up to 1 year; fines of up to \$2,500); mandatory minimum imprisonment of 5 days or 240 hours of community service; loss of driving privileges for a minimum of 5 years for a second conviction within 20 years; suspension of vehicle registration.

## Third Conviction

Third Conviction (Aggravated DUI) Class 2 felony

## How do you sober someone up?

The only way to rid the body of alcohol is time. Fresh air, coffee, a shower, and food cannot help a person become sober. It takes about one hour for the body to metabolize one drink.

(possible imprisonment of 3-7 years; fines of up to \$25,000); loss of driving privileges for a minimum of 10 years; suspension of vehicle registration.

## Breath Alcohol Ignition Interlock Device (BAIID)

Any first-time DUI offender who wishes to obtain, and is eligible for driving relief during the period of statutory summary suspension, is required to have a Breath Alcohol Ignition Interlock Device (BAIID) installed on his/her vehicle.

To be eligible for driving relief, the court must order a Monitoring Device Driving Permit (MDDP) for an offender, and a BAIID will be installed on his/her vehicle through the Secretary of State's Office. An MDDP and installation of a BAIID allow an offender to drive anywhere at anytime as long as he/she is driving a vehicle installed with the device. The Secretary of State's Office monitors and reads the BAIID throughout the duration of the permit. The device will alert the Secretary of State's Office if the driver attempts any incidents of driving under the influence or tampers with the BAIID.

## Illegal Transportation/Open Container

It is illegal to transport, carry, possess, or have any alcoholic beverages in the passenger compartment of a motor vehicle, except in the original container with the seal unbroken. Limousines, motor homes, mini motor homes and chartered buses not hired for school purposes are exceptions to the law.

## Dram Shop Act

An employee or owner of an establishment which holds a liquor license may be held liable for a crash resulting from the unlawful selling, giving, or delivery of alcohol in that establishment to a minor, intoxicated person, a person known to be under legal disability, or in need of mental treatment.

**For more information, or to request a safety presentation, please send an email to the ISP Safety Education Unit at:**

[ISP.Safety.Education@illinois.gov](mailto:ISP.Safety.Education@illinois.gov)

**or contact your local ISP Troop:**

<https://isp.illinois.gov/Patrol/TroopMap>



# DUI

## Driving Under the Influence

