

**NEWS RELEASE**

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## **Enhanced DUI Penalties are in Effect**

In addition to other new laws that took effect on July 1, motorists who choose to drive under the influence (DUI) of alcohol or drugs will face stiffer penalties in Kansas.

“Drunk driving continues to be a problem in Kansas,” said Pete Bodyk, Chief of the Bureau of Traffic Safety for the Kansas Department of Transportation. “The enhanced DUI laws passed by our legislature will hold drunk drivers more accountable for their actions.”

### **0.08 Blood Alcohol Concentration**

These provisions will continue to be a part of current law. A person cited for a first DUI with a blood alcohol concentration (BAC) of 0.08 percent or greater, will have their driver’s license suspended for 30 days and be restricted to driving to and from work or school for an additional 30 days. For a second, third or fourth DUI, an offender’s driver’s license will be suspended for one year and permanently revoked for a fifth or subsequent occurrence.

However, if the offender is under 21 years of age, their driver’s license will be suspended for one year for a first, second, third or fourth DUI. Likewise, on a fifth or subsequent

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occurrence, their driver's license will be permanently revoked.

### **0.15 Blood Alcohol Concentration**

Under the changes made by the 2007 Legislature, an offender with a BAC of 0.15 percent or greater will have their driver's license suspended for one year for a first occurrence. Following the one year suspension, the offender is restricted for another year to driving with an ignition interlock device. An ignition interlock device is wired into a car's ignition, acting as a breathalyzer to detect any alcohol on a person's breath.

For additional 0.15 BAC DUI occurrences, an offender's driver's license is suspended for one year followed by two, three or four years of driving with an ignition interlock device. On a fifth or subsequent occurrence, the driver's license is permanently revoked. A person under the age of 21 with a 0.15 BAC will face the same penalties as an offender age 21 and over.

In addition to any other penalty, upon a second or subsequent conviction, the court is required to order that each motor vehicle owned or leased by the convicted person will be equipped with an ignition interlock device, impounded or immobilized for a period of two years. All costs associated with the ignition interlock device, towing, impoundment, storage fees or other immobilization costs are to be paid by the convicted person.

The enhanced law requires that for a first DUI test refusal, at the end of one year of suspension, a driver's license is restricted for a year to driving a motor vehicle with an ignition interlock device.

A third DUI conviction continues to be classified as a felony and stays on a person's record for life. A felony may affect a person's ability to find or retain employment. A felony will also prevent a person from joining the military or registering to vote. Remember in Kansas, if you are Over the Limit, you are Under Arrest.