

June 28, 2013

TOUGH NEW DUI LAWS TAKE EFFECT NEXT WEEK

BISMARCK, ND – Changes to the state’s DUI laws take effect on Monday, July 1, 2013, a month before the effective date of most other new laws and before the 4th of July holiday weekend.

Under the tough new laws, drunk drivers who cause the death of another person can be charged with an A-felony offense and face up to 20 years in prison. The ND Highway Patrol reports this year to date, 25 people have been killed in alcohol-related crashes. In 2012, 87 people were killed by drunk drivers on North Dakota’s roads.

“As people have lost their lives at the hands of drunk drivers, and as the Legislature has addressed the problem, public attention to this issue has greatly increased. That’s a good thing, because we all need to be a part of the solution. It will take a consensus of North Dakotans’ opinions, attitudes, and actions—not just a change in the law—to change our culture. If we do that, together, lives will be saved,” said Representative Kim Koppelman (R-Dist 13), who was the prime sponsor of HB 1302.

In 2011, there were 6,600 DUI arrests in North Dakota.

“Drunk driving is a choice but it is not one that we should tolerate. It is my hope that the combination of stiff fines, mandatory jail sentences, and forced sobriety through participation in the 24/7 program will reduce the number of DUI offenses,” said Attorney General Wayne Stenehjem.

Even first time DUI offenders face tougher penalties:

- A first offense with an alcohol concentration of less than .16 (twice the legal driving level) carries a minimum fine of \$500. If the alcohol concentration is .16 or higher, the minimum fine is \$750 with a minimum mandatory jail sentence of 2 days or 10 hours of community service per day of jail time. In 2011, the average blood alcohol concentration by weight was .174.
- Repeat offenders will face minimum mandatory jail sentences, mandatory probation and mandatory participation in the 24/7 Sobriety program. The mandatory minimum sentences range from 10 days for a 2nd offense in 7 years to a year and a day for a 4th or subsequent offense, which is a Class C-felony offense now.
- Refusal to submit to chemical testing is also an offense, with the same penalties as a DUI offense with chemical testing.
- Individuals arrested for a DUI may be eligible for a temporary restricted driver’s license during the suspension period if they agree to participate in the 24/7 Sobriety Program and they meet the Department of Transportation’s eligibility requirement.

“Make sure your 4th of July celebrations don’t end in a jail cell or a morgue,” said Stenehjem. “Designate a sober driver before the celebrations begin.”

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