

It can be a criminal offense to drive while impaired by the effect of drugs or alcohol and drugs, illegal drugs like marijuana, cocaine, LSD, heroin and opium and by some prescription drugs like tranquilizers. Drugs can affect your reflexes, judgment, vision and alertness in ways similar to alcohol and they may have other dangerous effects as well.

A combination of alcohol and other drugs severely reduces your ability to drive and can cause serious health problems, which can include death.

ALCOHOL, OTHER DRUGS AND THE LAW

In New York State, you can be arrested for any of these offenses: aggravated driving while intoxicated (Agg-DWI), driving while intoxicated (DWI), driving with a blood alcohol content of .08 percent or more (.08 BAC), driving while ability impaired by a drug (DWAI-drug), driving while ability impaired by alcohol (DWAI), or driving under the combined influence of alcohol and drugs.

Blood alcohol content (BAC) is the percentage of alcohol in your blood and is normally determined by a chemical test of breath, blood, urine or saliva. A BAC of more than .05 percent is legal evidence that you are impaired, a BAC of .08 percent or higher is evidence of intoxication, and a BAC of .18 percent or more is evidence of aggravated driving while intoxicated.

Many people think chemical test evidence is required to prove you were intoxicated or impaired. However, the testimony of a police officer about the way you drive, your appearance and behavior when arrested can provide enough evidence to convict you, even without a chemical test.

If you are found guilty of any alcohol or drug-related violation, the court must revoke or suspend your driver license when you are sentenced. Even if the court allows you to continue driving for 20 days, your driver license will be taken immediately.

The BAC standards and penalties for commercial drivers are even tougher than those indicated in this chapter. For complete information, see Section 1 of the Commercial Driver's Manual (CDL-10).


YOUR BAC

Your blood alcohol content (BAC) depends on:


- How much alcohol you drink.
- How much time passes between drinks.
- Your weight.

Your BAC does not depend on the type of beverage you drink, how fit you are, or how you can "hold your liquor."


.02 BAC =




OR



OR



OR



5 oz. glass of wine
12% alcohol

1 ½ oz. liquor
80 proof

12 oz. (360 ml)
can of beer
5% alcohol

12 oz. wine cooler
5% alcohol