

DUI SCHOOL

“DUI School “ is the Risk Reduction Program and it has two components, the Assessment and the Intervention Component. These are available through approximately 200 DUI Risk Reduction Programs (DUI Schools) throughout the state. Programs and Instructors must be certified and approved by the Department of Driver Services.

The assessment component is designed to help the offender understand his level of involvement with alcohol and/or drugs and how it impacts his life. The assessment tool, called NEEDS, is the first step.

The Intervention Component consists of a 20 hour therapeutic education curriculum. It is designed to change the actual drinking and drug use behavior of the individual.

CLINICAL EVALUATION AND PROVIDING TREATMENT

Unless it is waived by a court order for first offenders, a clinical evaluation is required. A clinical evaluation is an assessment conducted by a DBHDD approved licensed or certified professional who works in the field of addiction. You must select a clinical evaluator from the DBHDD approved list.

Based on their professional assessment, the clinical evaluator may recommend treatment. Treatment means attendance and participation in the type of program recommended by the evaluator. The minimum amount of treatment is six (6) weeks. The maximum amount of treatment is fifty-two (52) weeks. Treatment is required if determined necessary by the clinical evaluator. Be sure you attend a DBH approved treatment program.

OUT OF STATE ISSUES

Check before you go to a program outside of Georgia.

The Georgia Department Driver Services (DDS) may not accept certificates of completion of a DUI School form another state unless the program is approved by the DDS as being in substantial conformity with the course content used by Georgia’s DUI Alcohol or Drug Use Risk Reduction Programs. They must be 20 hours or more of classroom (not Internet) risk reduction education. Check with DDS at 678-413-8400. Not all states are in substantial conformity.

If you are a Georgia resident or were considered to be a Georgia resident at the time of arrest and you are considering attendance at a treatment program outside of Georgia, contact the Georgia DUI Intervention Program at (404) 657-6433 to determine whether the program has been approved and whether it will be accepted by Georgia.

UNDER 21

If you are under 21, the blood alcohol concentration limit is 0.02 grams. (Note: 0.04 grams for persons operating a commercial vehicle.) There are additional requirements and limitations imposed. You may not be eligible for a limited driving permit prior to the end of the suspension.

DRUG POSSESSION

A conviction of drug possession may also result in the suspension of a driver’s license. Even if there is no conviction of driving under the influence, many of the same requirements will apply, in addition to any other consequences.

HOW DO I GET MY LICENSE REINSTATED?

Contact the Department of Driver Services to find out what is required in your case. They can be reached at 678-413-8400.

The information in this brochure is for informational purposes only and does not constitute legal advice in any way. If you have any questions regarding your legal rights contact an attorney at law.

Office of DUI Intervention Program
2 Peachtree Street, N.W., Suite 22-285
Atlanta, Georgia, 30303-3142
Phone: 404-657-6433
Fax: 404-657-6417

www.mop.uga.edu

STATE OF GEORGIA DUI INTERVENTION PROGRAM



**IF YOU DRINK AND DRIVE IN
THE STATE OF GEORGIA, YOU
WILL PAY THE PRICE IN
SEVERAL WAYS. THE GEORGIA
DUI LAWS HAVE CHANGED
SINCE JULY 1, 2008**

**Prepared by the Georgia Department of
Behavioral Health and Developmental
Disabilities (DBHDD) and the Division of
Addictive Diseases DUI INTERVENTION
PROGRAM**



GEORGIA DUI LAWS

WHAT IS DUI?

DUI is the possession of alcohol while operating a motor vehicle. In Georgia, when you are caught with the Blood Alcohol Content (or BAC) of 0.08 grams or more, or if you refuse to be tested, you will face a series of consequences. The suspension of your license usually occurs before the criminal case is heard. You may also have an additional hearing before an Administrative Law judge regarding the administrative suspension.

Conviction of Boating Under the Influence (BUI) will also result in suspension of the privilege to operate a boat or vessel on the waters within the state

DUI Intervention Program Website

www.mop.uga.edu

This web site:

- Gives information about Georgia DUI laws
- Supplies the application procedures and policies for Clinical Evaluators and Treatment Providers for the State of Georgia if approved.
- Provides resources or links to other agencies
- Has this brochure so that you may make copies

IMPORTANT FACTS

Driving Under the Influence is a crime. Consequences can affect your freedom as well as your finances. If convicted, you will immediately become involved with a number of agencies.

1. A probation officer
2. A detention facility (jail)
3. A DDS approved DUI Alcohol or Drug Abuse Risk Reduction Program
4. A DBH approved Clinical Evaluator
5. A DBH approved Substance Abuse Treatment Provider
6. The Georgia Department of Driver Services or DDS (regarding driver's license reinstatement issues)
7. An ignition interlock service provider
8. A community service organization, while completing required community service
9. Various officers and employees of the courts.

FIRST DUI Offense/First Offender

- Drivers License suspended for 12 months (may apply for reinstatement after 120 days if requirements have been met).
- Complete DUI School
- Fine not less than \$300 or more than \$1000
- Jail term of not less than 10 days or more than 12 months, however, the judge may suspend or probate all but 24 hours
- Not less than 40 hours of community service unless BAL was .08 or less, in such case the community may be as little as 20 hours
- A clinical evaluation, unless waived by the court
- Completion of a treatment program if recommended by the evaluation
- 12 months probation

Aggravating circumstances could result in additional jail time. These circumstances included:

- Speeding more than 30 mph over the posted speed limit
- Going the wrong way on the highway
- Alcohol level of 0.08 or above
- Refusing the BAC tests
- Causing an accident that harms or kills someone having children under the age of twelve in your car.

If you are guilty of one of the above conditions, Georgia DUI law says that you must spend up to four days in jail. You cannot be released until those four days are served.

SECOND DUI Offense/Multiple Offender

Second DUI within ten years

- Drivers license suspended for 3 years or 1 year if enrolled in treatment and other conditions have been met.
- Between \$600 and \$1000 fines
- Jail time of between 90 days and 12 months, however, the judge may suspend or probate all but 72 hours
- Not less than 30 days of community service
- Complete DUI School
- Mandatory completion of Clinical Evaluation
- Completion of a treatment program if recommended by the evaluator (this can't be waived by a judge)

- 12 months probation
- Ignition interlock system required for 6 months

THIRD DUI Offense/Habitual Violator

Third DUI within ten years

- Drivers License suspended for 5 years or 2 years if completed treatment and other conditions.
- The fine is not less than \$1000 or more than \$5000
- Jail term between 3 and 12 months, the judge may suspend all but 15 days
- No less than 30 days of community service unless the defendant is sentenced to serve 3 years in prison
- Complete DUI school
- Mandatory completion of Clinical Evaluation
- Completion of a treatment program if recommended by the evaluator (this can't be waived by a judge)
- 1 years probation, less time served
- Ignition interlock system required for 6 months

In the State of Georgia a habitual offender is someone who has three DUI convictions within a 10 year window after 7-1-08 or within 5 years prior to that date.

FORTH DUI Offense/Felony

Four DUI's within 10 years is a felony and results in one to five years in prison.

- 5 years probation
- Other penalties required of Habitual offenders.

Note: There may be other fees or costs by the Court or other agencies, in addition to attorney's fees.

BOATING UNDER THE INFLUENCE

Conviction of Boating under the Influence (BUI) will result in suspension of the privilege to operate a boat or vessel within the state and will require completion of a treatment program before you can regain your boating privileges.