

## WHAT YOU NEED TO KNOW ABOUT DUI LAWS

### Punishments for a DUI conviction under the age of 21 include:

#### For the FIRST offense: (under .08)

A blood-alcohol content of .02% or greater is considered DUI for any driver under the age of 21.

- Suspension of driver's license for 6 months with no provision for a limited permit or early re-instatement.
- No nolo contendere plea.
- Attendance at a DUI school.
- Must re-take driver's test.
- At least 20 hours of community service, to begin within 60 days of sentencing.
- Loss of ability to obtain next Graduated License level for 12 months.

#### For the FIRST offense: (.08 or more)

Punishment is the same as for the first offense under .08 except:

- Mandatory jail term not less than 24 hours.
- Community service is not less than 40 hours.
- Suspension of license for 12 months, with no re-instatement prior to the end of the suspension period.

#### For the SECOND offense:

Punishment is the same as for the first offense except:

- Suspension of driver's license for a minimum of 18 months, with a provision of ignition interlock permit after 12 months.
- Community service is not less than 30 days.
- Clinical evaluation and treatment if indicated.
- Mandatory jail term is not less than 72 hours.
- The court will order a person convicted of a 2nd and subsequent DUI to surrender all license plates registered in his or her name to the court.

If the offender is under the jurisdiction of the Juvenile Court due to age, the sentence will be served at a Youth Development Center (YDC), or be placed in the Sheriff's custody.

In all cases, the offender will be separated from the main prison population.

Regardless of age, the Judge will still have the discretion to sentence the driver for a misdemeanor, with graduated punishment, depending on the number of prior offenses.

### Other DUI provisions

For drivers 21 and over, include:

- The nolo contendere plea for DUI charges will be treated as a conviction for all drivers.
- Upon a second DUI conviction, the offender will face a mandatory clinical evaluation and, if indicated, will have to complete a substance abuse treatment program at the offender's expense.
- The court will order a person convicted of a 2nd or subsequent DUI to have an ignition interlock device attached to his or her vehicle.
- The court will order a person convicted of a 2nd or subsequent DUI to surrender all license plates registered in his or her name to the court.
- There are provisions for the offender to obtain a license tag for any car used by other family members, and the existence of the special tag will not be probable cause for a traffic stop, search of the vehicle or seizure.

Any person over 21 convicted of DUI with a blood-alcohol content of .08 or higher may be ordered to serve a period of imprisonment of up to 12 months, and 24 hours of that sentence may not be suspended or probated. Those persons will also continue to be subject to a \$1,000 fine for the first offense.



### For More Information Governor's Office of Highway Safety

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## WHAT YOU NEED TO KNOW

# TEENAGE AND ADULT DRIVER RESPONSIBILITY ACT

**Sonny Perdue**  
GOVERNOR

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Traffic Safety Administration

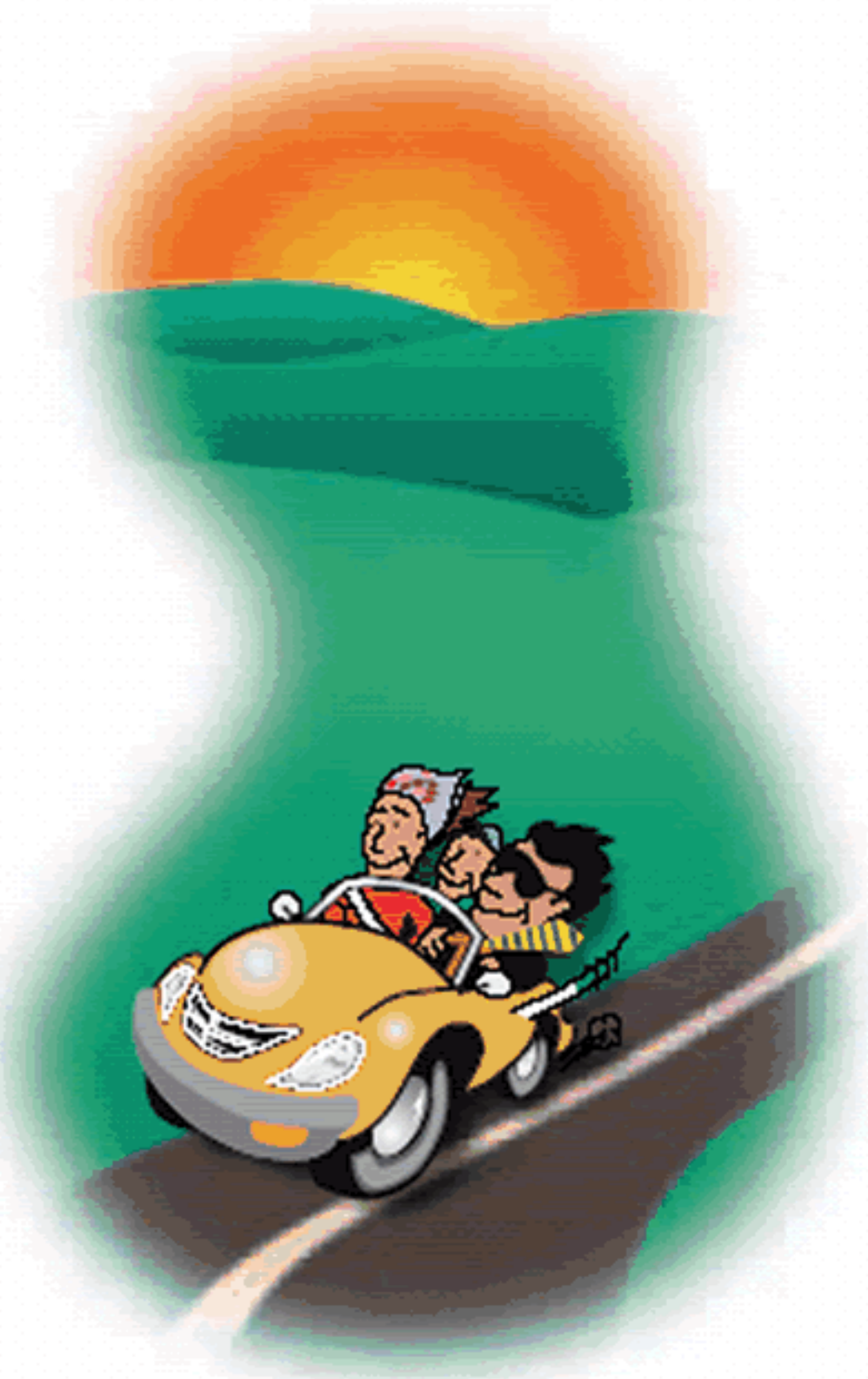


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<http://www.nhtsa.dot.gov>

## WHAT YOU NEED TO KNOW ABOUT TADRA

The Teenage and Adult Driver Responsibility Act (TADRA) continue to make new strides in creating safer Georgia roads for the motoring public.

The Teenage and Adult Driver Responsibility Act directly addresses the leading killer of our young people—traffic crashes. The law significantly changes the way young motorists earn and maintain the privilege of driving by providing a controlled means for new drivers to gain experience and by reducing high-risk driving situations. While the law does focus on young drivers, it also contains important provisions that affect drivers over 21, particularly in the area of DUI prevention and enforcement.



## WHAT YOU NEED TO KNOW ABOUT EARNING A LICENSE

The Teenage and Adult Driver Responsibility Act establishes graduated driver licensing for Georgians between the ages of 15 to 18, with three separate classifications.

### Step 1: Instructional Permit (Class CP)

This is granted to 15 year-olds upon passage of a written examination. While driving, the permit holder must be accompanied by a licensed (Class C) adult 21 years or older.

### Step 2: Intermediate License (Class D)

This License is granted to drivers between 16 and 18 years of age who have held an Instructional Permit for 12 months and passed a comprehensive on road driving test. The Intermediate License has the following restrictions:

- No driving between the hours of 12 a.m. and 6:00 a.m. "No Exceptions"
- For the first 6 months, passengers must be immediate family members only.
- On and after January 1, 2002, anyone who obtains an initial Class D license must have completed:
  1. An approved driver education course and a cumulative total of at least 20 hours of supervised driving (6 hours at night).— or —
  2. A cumulative total of at least 40 hours of supervised driving (6 hours at night).

#### Special Notes:

- Class D drivers receiving their license prior to January 1, 2002 are subject to the curfew and passenger restrictions.
- The supervised driving requirement also applies to an initial Class C license applicant, who has not previously been issued a Class D license.
- To acquire a supervised driving log, visit the GOHS Website ([www.gohs.state.ga.us](http://www.gohs.state.ga.us)), and click on the "Links" Department of Motor Vehicle Safety.

### Step 3: Full License (Class C)

For drivers 18 years of age or older who hold a Class D license, this license is granted if there have been no major traffic convictions for the previous 12 months. License must be upgraded to Class C or you will be held to Class D standards regardless of your age.

## WHAT YOU NEED TO KNOW ABOUT VIOLATIONS OF DUI LAW

A driver can only move to the next level if he or she has completed 12 consecutive months without a conviction for any of the following:

- DUI
- Fleeing or attempting to elude a police officer
- Racing
- Reckless driving
- Hit and run
- Any moving violation for which four or more points are assessable.

### Suspension of License

If a driver under the age of 21 is convicted for any of the following offenses, their license will be suspended for 6 months (1st offense) or 12 months (2nd offense).

- Fleeing or attempting to elude a police officer
- Racing
- Reckless driving
- Hit and run
- Purchase of an alcoholic beverage
- Misrepresenting age for the purpose of illegally obtaining any alcoholic beverage
- Misrepresenting identity or using false identification for the purpose of purchasing or obtaining any alcoholic beverage
- Any moving violation for which four or more points are assessable
- For drivers under age 18, an accumulation of four or more points in a 12-month period will also result in a suspension
- A first conviction for DUI in which the driver's blood alcohol concentration is 0.08 grams or higher will result in a 12-month suspension.



## WHAT YOU NEED TO KNOW ABOUT SCHOOL AND YOUR DRIVER'S LICENSE

### School attendance required

No individual under the age of 18 can obtain a driver's license or instructional permit unless he or she is attending a public school, a private school or is enrolled in home schooling authorized by law; or has graduated from high school, received a certificate of high school completion; or has completed his or her secondary education and is enrolled in a post-secondary school.

If a student under 18 drops out of school and has remained out of school for 10 days, or has more than 10 school days of unexcused absences in any semester or combination of two quarters, notice will be given by the school to the Department of Motor Vehicle Safety. The student's driver's license will then be suspended until their 18th birthday. The license may be reinstated earlier if he or she returns to school. The license will not be suspended if the student has obtained and delivered to the school written permission from the student's parents or guardian authorizing the student to drop out of school.

### School / Suspension

A student's driver's license will be suspended until their 18th birthday if the student is suspended from school for any one of the following offenses:

- Threatening, striking or causing bodily harm to a teacher or other school personnel
- Possession or sale of drugs or alcohol on school grounds.
- Possession or use of a weapon on school grounds. Any sexual offense prohibited under Chapter 6 of Title 16
- Causing substantial physical or visible bodily harm to or seriously disfiguring another person, including another student.

*The license may be reinstated after 90 days if the student has re-enrolled in school.*

### Temporary Driving Permit

A student can obtain a temporary driving permit from the Department of Motor Vehicle Safety to drive to and from work with a suspended license, if he or she has demonstrated the need for the permit. The permit would only be granted if the driver's license has been suspended for a school-related infraction or for dropping out of school.