

DRIVING WITH CARE
ALCOHOL AND OTHER DRUG-IMPAIRED DRIVING

COLORADO LAWS

SUPPLEMENT TO LESSON 2
LEVEL I AND LEVEL II EDUCATION

August, 2013

Preface

There are several changes in this iteration of the Supplement. They fall into two areas – format and the DWI Laws. For the past few years there have been two supplements – one for DWI clients over the age of 21 and another for underage impaired drivers. This edition combines everything into one document.

The aforementioned legal changes include information on the new law on marijuana and driving, changes in the Persistent Drunk Driving definition and related modifications to the DWI offender placement system including the Tracks. Changes in the Ignition Interlock requirements are also included.

It is really important that you incorporate this information in your Level I and II DWI Education programs immediately, and if you have questions, please contact either the Office of Behavioral Health or CIDRE staff.

The CIDRE staff thanks Mr. C. Stephen Hooper, Director of Driver Control at the Colorado Department of Revenue, Division of Motor Vehicles and Ms. Christine Flavia and Mr. Webster Hendricks of the Office of Behavior Health at the Colorado Department of Human Services for their assistance in revising this document.

Thank you.

INTRODUCTION

This Supplement provides legal information related to DWI (Driving While Impaired) penalties, sanctions (punishments) and loss and reinstatement of driving privileges **specific to Colorado**. It is to be used along with Lesson 2 of Level I and Level II Driving With CARE (DWC) Alcohol, Other Drugs and Driving Safety Education programs. It does not replace, but complements Lesson 2 of these programs. Clients are still asked to read and review the more general Lesson 2 contained in their Participant's Workbook and complete all the written exercises.

We are using the term DWI throughout the DWC education and treatment participant's workbooks to refer to all of the specific terms used in various states to mean driving when the BAC or THC level has exceeded legal limits or driving while impaired by drugs other than alcohol. Colorado uses the terms DUI (Driving Under the Influence) and DWAI (Driving While Ability Impaired).

You will be asked to look at your own specific DWI situation. CAREFUL driving helps you to be responsible to your community as well as to yourself. Responsible living involves DRIVING WITH CARE. DRIVING IS A SPECIAL PRIVILEGE, NOT A RIGHT. This program is designed to help you keep that privilege.

Effective October 1, 2009, the operation of low power scooters requires a driving license. All of the laws and rules connected with driving, including those on alcohol and other drugs will apply.

OBJECTIVES OF LESSON 2 SUPPLEMENT:

- To provide you with specific information about Colorado laws as they relate to DUI/DWAI convictions and penalties; and
- To help you understand your particular case with respect to these laws.

A. COLORADO HAS FOUR CATEGORIES OF OFFENSES INVOLVING IMPAIRED DRIVING BEHAVIOR.

- Misdemeanors: This category applies to the majority of cases involving driving after drinking or using other drugs.
- Felonies: This category is reserved for cases involving alcohol or other drugs in which serious bodily injury or death has resulted from the illegal driving.
- Class A Traffic Infraction: An Underage Drinking Driver Offense (UDD): This category is reserved for persons under the age of 21 who have BAC's lower than the prescribed presumptive and Per Se levels. It is called "Zero Tolerance" law. Included in this category is the open container act that makes it unlawful to drink or possess an open container in the passenger area of a vehicle on a public highway, right of way or park. It is a three-point offense.
- Class 2 Traffic Misdemeanor: An Underage Drinking Driver Offense (UDD): This category is for persons under the age of 21 with second or subsequent convictions of driving with a BAC level between .02 and .05. If an adjudication of delinquency results from the offense, it will be considered a conviction.

B. PERMISSIBLE INFERENCE (PRESUMPTIVE) AND PER SE CATEGORIES.

1. DUI Permissible Inference (Presumptive) means there is the observation of a clear lack of mental judgment or physical control that makes safe operation of a motor vehicle impossible. This is due to alcohol use and the BAC level is equal to or above the Colorado standard for DUI, or when drugs other than alcohol are involved and the lack of mental judgment and/or physical control is/are present.

DWAI Permissible Inference (Presumptive) means that there is the observation that judgment and physical control are affected to the slightest degree so that there is a lack of care in the safe operation of a motor vehicle. The BAC level is much lower than is required for DUI.

A DUI/DWAI conviction in cases where a drug other than alcohol is involved requires the measurable presence of a drug, legal or illegal, and the observation that mental judgment or physical control is at the point where safe driving is impossible, or there is at least lack of care in driving. In the case of marijuana, 5 nanograms/milliliter of whole blood is the standard.

2. DUI Per Se or Driving With Excessive Content involves a BAC level equal to or greater than the DUI Presumptive level at the time of driving and **does not** require that erratic driving be observed, as does a charge of DUI Permissible Inference (Presumptive).

C. BAC/THC Levels.

- DUI Permissible Inference (Presumptive) is .08 or greater; or
- Effective May 28, 2013, 5ng of THC/ml whole blood.
- DUI Per Se is .08 or greater.
- DWAI is .051 through .079
- Persistent Drunk Driver (PDD) is .17, on or after January 1st, 2014 will be reduced to .15.
- “Zero Tolerance”, Under Age Drinking Driving Offense (UDD) (drivers under 21) is .02 to .05.

D. THERE ARE FOUR POSSIBLE OUTCOMES TO ANY OF THE CHARGES LISTED ABOVE.

- Conviction
- A deferred judgment or sentence in the misdemeanor or traffic infraction areas, generally only for first time offenders.
- A plea of **Nolo Contendere** (no contest) in the misdemeanor or traffic infraction areas, generally only for first time offenders.
- A finding of not guilty.

E. AS WITH MOST STATES, COLORADO HAS TWO SEPARATE LEGAL AGENCIES OR AUTHORITIES THAT IMPOSE SANCTIONS (PUNISHMENT) AND AOD EDUCATION AND/OR TREATMENT FOR THE ABOVE CHARGES BASED ON THE FIRST THREE OUTCOMES.

1. These two legal agencies are:

- The County, Juvenile (if the defendant is under 18) or District Courts; or
- The Division of Motor Vehicles (DMV) of the Department of Revenue. This agency can impose driving restraint actions to any of the above charges if such charges place the driver in a restraint category for alcohol and other drug driving offenses; or DMV may take action under the Administrative License Revocation Law (ALR).

2. Separately or together, these two agencies or authorities may impose sanctions. Different actions may be taken for the same offense. Here are some examples of these actions.

- The court may convict a person over 21 of a first offense DWAI (Driving While Ability Impaired), but if s/he does not have enough other infractions for suspension, and the BAC was in the impaired range, DMV will take no action.
- The court may have required a certain level of treatment but if the court requirement does not meet DMV standards, the offender must also meet statutory treatment requirements for reinstatement of driving privileges. The Division of Motor Vehicles (DMV) administers these.

F. COUNTY OR DISTRICT COURT ACTIONS.

1. The court may impose the following sanctions, either separately or combined, not only to punish, but to rehabilitate the offender.
 - Fines, restitution and community service.
 - Specialized drunk-driver cash funds.
 - Jail or incarceration.
 - Probation – monitoring or various levels of intensity of supervision (Up to four years for two or more offenses).
 - Evaluation for AOD and driving problems.

2. The court may impose education, treatment or various combinations of them including residential as well as outpatient care.
 - **Education alone.** Colorado has two levels: Level I Education and Level II Education. They differ in length, intensity and for whom they are intended.
 - **Education and Treatment.** Drivers identified as having actual problems related to alcohol or other drug use may have to attend both education and treatment programs.
 - The **Education and Treatment System in Colorado** includes:
 - Level I Education;
 - Level II Education;
 - Level II Education and Outpatient Treatment;
 - Enhanced Outpatient, Level II Education and Outpatient Treatment;
 - Intensive Outpatient, Level II Education and Outpatient Treatment;
 - Day Treatment, Level II Education, Intensive Outpatient and/or Outpatient Treatment;
 - Half-way House, Level II Education, Intensive Outpatient and/or Outpatient Treatment;
 - Transitional Treatment, Level II Education, Intensive Outpatient and/or Outpatient Treatment;
 - Intensive Residential, Level II Education, Intensive Outpatient and/or Outpatient Treatment;
 - Therapeutic Community, Level II Education; or
 - No Treatment – refer for in-depth psychological assessment.
 - **Treatment Additions** (adjuncts) could include:
 - Medications for alcohol control such as Antabuse (Disulfiram) or Naltrexone;
 - Medications for drug use control – Naltrexone, etc;

- Random urine or breath screening;
- Victim impact panels;
- Ignition Interlocks;
- Self-help, mutual-help or support groups, such as AA, NA, CA, SMART;
- Opioid maintenance medications;
- Vehicle impoundment or immobilization; and
- Electronic monitoring.
- Alcohol monitoring such as SCRAM device.

G. COLORADO DIVISION OF MOTOR VEHICLES ACTIONS: THE SANCTIONS LISTED BELOW ARE CIVIL RATHER THAN CRIMINAL AND THEREFORE DO NOT CONSTITUTE DOUBLE JEOPARDY. THEY ARE ENTIRELY SEPARATE FROM THAT TAKEN BY THE COURT. THE THREE BASIC TYPES OF DMV ACTIONS ARE SUSPENSIONS, REVOCATIONS AND DENIALS (OCCURS IF THE DRIVER DOES NOT HAVE A LICENSE TO SUSPEND OR REVOKE).

1. DUI and DWAI Point Suspensions for DUI/DWAI Offense Committed Prior to January 1, 2009.

- *12 Points and 1 year suspension* are imposed by DMV when a driver is convicted in criminal court of DUI.
- *A Probationary License* may be issued for a first DUI offense during the suspension if the driver attends a hearing on that action.
- If a driver took the required test and as a result lost his license for three months, and then was convicted in court of DUI, the total would be 12 months, not three plus 12 months.
- Eight points go against a license for a DWAI.
- The driver will be notified if there are enough points for suspension and may attend a hearing to set the length and terms of the suspension. The hearing officer decides the length of suspension (up to one year) and decides if a probationary license is proper.

2. Suspension for Providing Alcohol to Persons under 21 years of age.

- Illegal to sell, serve, give, dispose, exchange or deliver or permit the sale, serving, giving or procuring any alcoholic beverage to or for any person under 21.
- Permit or fail to prevent, with knowledge, the use of his/her identification including a driver's license by a person under 21 to purchase any alcohol beverage.

- Six-month suspension, but application may be made for probationary license after one month.

3. DUI and DWAI Revocations for a first DUI Offense Committed On or after January 1, 2009.

- A DUI Offense committed by adult drivers on or after January 1, 2009 will result in a mandatory 9 month revocation. An Interlock Restricted License is available after one month of no driving if the offender reinstates and installs an interlock on all vehicles s(he) drives. The only type of limited license for first time offenders will be the Interlock Restricted License. (See pages 7 thru 11 and 21 thru 24 for additional detail).

4. Multiple Alcohol Offenses and Revocations (regardless of the date of offense).

If a person has been caught drinking and driving more than once, loss of license can take place for more reasons. In addition to the Express Consent Law and Points Law, DMV can revoke or take the license under other laws. Here is a summary of some of these laws:

- Two drinking and/or other drug related driving convictions occurring within five years of each other (one conviction for a person under age 21). This revocation will last for at least one year.
 - Three alcohol offense convictions in a lifetime. Revocation will last a minimum of two years.
 - Three convictions for major traffic offenses (which may include an alcohol offense) within seven years. License will be revoked for a minimum period of five years. This is the Habitual Offender category.
 - While there is a right to a hearing, the period of revocation is set by law and may not be reduced by the hearing officer; however, for alcohol revocations lasting longer than a year, early reinstatement with the interlock device installation is available.
 - The first refusal, DUI or DWAI in either a commercial or a non-commercial vehicle revokes Commercial Driving Privileges for one year. The second or subsequent results in a lifetime CDL revocation.

5. Special Actions for Persons Under 21. (Please refer to the section on Underage Driving Offenders for detailed information.)

6. Administrative License Revocation (ALR) or the Express Consent Laws.

- ALR laws quickly remove the drinking driver from the roads.

- The officer can require a blood or breath test if s/he has probable cause to believe the driver is impaired. (You have already agreed to this by operating a motor vehicle in Colorado).
- Refusal to cooperate or to take the test results in license revocation for at least one year. A second refusal is two years, a subsequent is three. All refusal revocations must run consecutive to any other suspensions or revocations.
- After Jan 1, 2014, refusals will place the offender in the Persistent Drunk Driver (PDD) category, however, persons may apply for an Interlock restricted license after 2 months of total restraint.
- Prior to January 2014, a first offense with a BAC of .08-.169 results in license revocation of nine months with the availability of a interlock restricted license after one month of no driving. After January 1, 2014, a first offense with a BAC of .08-.149 results in the revocation of nine months with the availability of early reinstatement with an interlock restricted license after one month of no driving.
- A second or subsequent offenses occurring prior to January 1, 2014, require one year revocation with no driving, early interlock reinstatement is available after one year of no driving. After January 1, 2014, there remains a two year revocation, however after just 30 days of no driving an interlock restricted license may be obtained.
- For all offenders with a B.A.C. of 0.17 or greater and all repeat offenders, an ignition interlock restricted license is required for two years upon reinstatement (see pages 6, 7, 11, 12, and 16.). On or after January 1, 2014, the threshold reduced to a BAC of .15 or greater. However, an adult (21+) who has been revoked for one year or more may apply for an interlock restricted license after one month. Drivers under the age of 21 must wait until they have served a full year of revocation before applying for an interlock restricted license.
- If the license is revoked because of the BAC level of .08 and the license is also revoked or suspended under other laws for the same event, the periods of revocation will run concurrently, except that Habitual Offender revocations run for five years from the date of the order, regardless of the existence of other restraint actions.
- Law enforcement agencies are no longer required to save a preserved breath sample.
- Right to Hearing for Expressed Consent:
 - Can be requested in writing even if there was no blood or breath test given;
 - Official form must be received by Motor Vehicles within seven days and the driver's license surrendered;

- If eligible, a temporary driving permit may be issued allowing the driver to drive until the hearing;
- A hearing officer decides if revocation should be supported or dismissed;
- Revocation takes place eight days after the notice if no hearing is requested;
- The periods of revocation are set by statute and may not be altered by the hearing officer.
- Even if the court drops or reduces the DUI charges, revocation under the Express Consent Law remains in effect.
- Reinstatement of license requirements under the Express Consent Law.
 - Payment of a reinstatement fee.
 - Filing of the SR-22 insurance form with the Division of Motor Vehicles. The SR-22 is required to show proof that the driver has insurance that must be maintained.
 - Completion of the required alcohol education and therapy. For those with a B.A.C. of 0.17 or greater, Level II education and therapy is required. After January 1, 2014, the BAC level requiring alcohol education and therapy becomes 0.15, as does a refusal to take a test to determine if alcohol or other drugs are present.
 - For those with a B.A.C. of 0.17 or greater, 2-yr. mandatory ignition interlock restriction is required upon reinstatement. After January 1, 2014, the BAC level requiring mandatory interlocks becomes 0.15, as does a refusal to take a test to determine if alcohol or other drugs are present.

7. Reinstatement Requirements

- For points suspensions, proof of insurance and payment of a reinstatement fee;
- When a license is revoked for having multiple offenses the requirements are:
 - Payment of a reinstatement fee;
 - Filing of an SR-22 insurance;
 - Completion of a licensed Level II Education and Treatment Program; and
 - 2- yr. mandatory ignition interlock restriction (see Interlock section).
- Minors whose licenses are revoked for one year for their first alcohol and driving offense are required to take only Level I Education unless an alcohol evaluator finds more is required.
- Statutes governing drivers' license reinstatement may have stronger education and therapy requirements than those imposed by the court.
- Education and therapy must begin after the most recent alcohol violation.

- License may be reinstated after the revocation period is over, even though Level II Education and Treatment have not been completed. However, the person must continue in Level II Education and Treatment to maintain the license (see interlock section). Any interruption in education and/or treatment will result in license suspension.
- A DUI/DWAI conviction in Colorado remains on the driving offense record for the lifetime of the driver.

8. Persistent Drunk Driver (PDD)

Any person convicted of and/or whose license was revoked for two or more alcohol-related offenses or who has a BAC level of .17 or greater while driving or within two hours of driving, or who drives while under restraint for one or more alcohol-related driving offenses falls in this category. PDD requires successful completion of Level II Education and Treatment for persons convicted of DUI or DWAI with a BAC of .17 or higher or driving under license revocation because of a DUI/DWAI offense.

After January 1, 2014 any person convicted of and/or whose license was revoked for two or more alcohol-related offenses or who has a BAC level of .15 or greater, or who refuses a test while driving or within two hours of driving, or who drives while under restraint for one or more alcohol-related driving offenses is classified as a Persistent Drunk Driver. All PDD offenses require successful completion of Level II Education and Treatment.

9. Ignition Interlocks

An electronic device is installed in a motor vehicle to make sure that the vehicle will not be driven by someone who has been drinking. The device is connected to the ignition and other systems to require an alcohol-free breath sample before the vehicle can be started, and at random times while the vehicle is being driven. The revised Interlock Restricted License program became effective on January 1, 2001.

- **Mandatory Interlocks:**
 - Persons revoked with a B.A.C. of 0.17 or greater, revoked for two or more alcohol-related convictions, or Habitual Offenders with at least one alcohol offense are required to hold a restricted license requiring an Ignition Interlock (to be installed at their own expense) upon reinstatement. Repeat offenders and those offenders with a BAC of .17 or greater must have the interlock for a minimum of two years.
 - After January 1, 2014, the BAC level that applies to mandatory interlocks drops from 0.17 to 0.15. Refusal to take a chemical test requires mandatory interlock.
 - The Interlock leasing agency is required to submit monitoring reports on each driver in the interlock program.

- If the monitoring reports reveal continuing attempts at drinking/drug use and driving, the license restriction requiring an interlock will be extended.
- If an individual circumvents the device or drives a non-interlock equipped vehicle, his/her license will be revoked for at least one year and the person is subject to Class One Misdemeanor charges. At the end of the revocation, the person must again have an interlock restriction.
- Voluntary Interlocks:
 - Effective January 1, 2009: First time offenders 21 years of age and older who have a BAC of $\geq .08$ -.169, may obtain an Interlock Restricted License after one month of “hard” restraint providing they are not under other DMV sanctions. If such a driver is able to drive problem free while on the interlock, e.g., no failed starts and/or circumvention, (s)he will be eligible for an unrestricted license after four consecutive months of no circumventions or BAC readings on the interlock device. After January 1, 2014, the BAC level is changed from $\geq .08$ -.169 to ≥ 0.8 -.149. Repeated attempts to drive with measurable BAC will result in extensions of time required on the interlock.
 - Prior to January 1, 2014, Colorado drivers whose licenses have been revoked for longer than a year due to one or more alcohol offenses may reinstate after serving one year of the revocation by providing an Interlock lease for each vehicle they own or have accessible to them. For offenses received on or after Jan 1, 2014, these drivers may reinstate after serving one month revocation, providing they have proof of interlock installation on all vehicles, and do not have any new offenses. All other reinstatement requirements including enrollment in or successful completion of Level II Education and Treatment must be met prior to reinstatement.

10. Probationary License Not Available for:

- Vehicular Homicide
- Vehicular Assault
- Buying/Possessing Alcohol when under 21
- Repeat alcohol offenders.

H. Interstate Driver License Compact

1. Agreement between states to honor restraint actions taken in other states;
2. An offender who moves from Colorado to a participating state must provide proof to Colorado DMV that education and treatment requirements in the new area of residence have been completed, and that they have met all other requirements before Colorado will grant reinstatement.

I. Non-Driving Penalties

1. Effective August 5, 2009 the DMV will no longer take restraint actions for the following charges:
 - Criminal mischief
 - Defacing property
 - Offenses related to the forgery of a traffic ticket issued to a minor
 - Unlawful use of a controlled substance
 - Unlawful distribution, manufacturing, dispensing, sale, or possession of a controlled substance
 - Offenses related to marijuana
2. Convictions of the above offenses committed prior to August 5, 2009 will lead to DMV restraint actions.

J. Colorado Education and Treatment Requirement Time Frames

1. Education and treatment programs may be required by both the court and Motor Vehicle Division. The level of education and treatment will depend on the BAC level, prior DUI/DWAI offenses and history of alcohol or other drug treatment and problems.
2. The Colorado model has two levels of education and four treatment tracks. Drivers who fit the treatment requirement must take Level II Education and be assigned to one of the four treatment tracks. These are summarized in Tables 1 and 2. Table 1 is for DWI offenders whose last arrest was on or after January 1, 2007 and Table 2 for DWI offenders whose last arrest was on or after January 1, 2014. You may have clients whose last arrest was prior to January 1, 2007, who have different requirements.

TABLES

TABLE 1 COLORADO EDUCATION AND TREATMENT PATHS (FOR PERSONS ARRESTED ON OR AFTER JANUARY 1, 2007)				
PROGRAM EDUCATION AND/OR TREATMENT	CRITERIA BAC/priors	LENGTH OF EDUCATION hours/weeks	LENGTH OF TREATMENT hours/weeks	COMBINED LENGTH OF EDUCATION AND TREATMENT hours/weeks/months
Level I Education	No Priors Less than .12	12 hours 1-6 weeks		12 hours 1-6 weeks
Level II Education	No Priors .12-.169 with no other clinical indicator or less than .12 with clinical justification	24 hours 12 weeks		24 hours 12 weeks
Treatment Track A	No Priors .12 – .169 with 1 or more clinical indicators or less than .12 with clinical justification	24 hours 12 weeks	42 hours 21 weeks	66 hours 8 months
Treatment Track B	No Priors .17 or more, or less than .17 with clinical justification	24 hours 12 weeks	52 hours 26 weeks	76 hours 9 months
Treatment Track C	1 or more priors Less than .17	24 hours 12 weeks	68 hours 34 weeks	92 hours 11 months
Treatment Track D	1 or more priors .17 or more, or less than .17 with clinical justification	24 hours 12 weeks	86 hours 43 weeks	110 hours 13 months

- Education or Track Level may be raised with clinical justification.
- Education or Track level should not be reduced; it is not appropriate clinically nor in terms of DMV requirements.
- If no BAC is available, placement will be based on clinical justification.

TABLE 2 COLORADO EDUCATION AND TREATMENT PATHS (FOR PERSONS ARRESTED ON OR AFTER JANUARY 1, 2014)				
PROGRAM EDUCATION AND/OR TREATMENT	CRITERIA BAC/priors	LENGTH OF EDUCATION hours/weeks	LENGTH OF TREATMENT hours/weeks	COMBINED LENGTH OF EDUCATION AND TREATMENT hours/weeks/months
Level I Education	No Priors Less than .10	12 hours 3-6 weeks		12 hours 3-6 weeks
Level II Education	No Priors .10 -.149 with no other clinical indicators, or < .10 with clinical justification	24 hours 12 weeks		24 hours 12 weeks
Treatment Track A	No Priors .10-.149 with 1 or more clinical indicators or < .10 with clinical justification,	24 hours 12 weeks	42 hours 21 weeks	66 hours 8 months
Treatment Track B	No priors ≥ .15 or refusal or < .15 with clinical justification	24 hours 12 weeks	52 hours 26 weeks	76 hours 9 months
Treatment Track C	1 or more Priors < .15	24 hours 12 weeks	68 hours 34 weeks	92 hours 11 months
Treatment Track D	1 or more Priors ≥.15, or refusal, or < .15 with clinical justification	24 hours 12 weeks	86 hours 43 weeks	110 hours 13 months

- Education or Track Level may be raised with clinical justification.
- Education or Track level should not be reduced; it is not appropriate clinically nor in terms of DMV requirements.
- If BAC was not taken or is unavailable, and there are no clinical indicators, refer and place in Level I Ed.
- If BAC was not taken or is unavailable, and there are other clinical indicator(s), refer and place in Level II Ed.
- Offenders can be placed in Track A with BAC's of <.10 if there is clinical justification.
- Under no circumstance can Track level be reduced; however, Track level may be increased with clinical justification.
- Clinical justification must be based on DSM-5 Criteria

PENALTIES FOR DUI/DWAI OFFENSES IN COLORADO								
TABLE 3								
FOR PERSONS ARRESTED ON OR AFTER JULY 1, 2010								
DESCRIPTION OF OFFENSE	COMMUNITY SERVICE		JAIL		FINES		PROBATION	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
DWAI 1 ST OFFENSE	24HRS	48 HRS	2 DAYS	180 DAYS	\$200	\$500	NONE	2 YRS
DUI 1 ST OFFENSE	48 HRS	96 HRS	5 DAYS	1 YEAR	\$600	\$1,000	NONE	2 YRS
DUI, DWAI, PER SE 1 ST OFFENSE WITH BAC = OR > .20	48 HRS	96 HRS	60 DAYS	1 YEAR	\$600	\$1,000	NONE	2 YRS
2 ND OFFENSE	48 HRS	120 HRS	10 DAYS	1 YEAR	\$600	\$1,500	2 YRS	4 YRS
3 RD OR SUBSEQUENT OFFENSE	48 HRS	120 HRS	60 DAYS	1 YEAR	\$600	\$1,500	2 YRS	4 YRS
VEHICULAR ASSAULT CLASS 4 FELONY			2 YRS PRISON	4 YRS PRISON	\$4,000	\$500,000		
VEHICULAR ASSAULT CLASS 3 FELONY			4 YRS PRISON	8 YRS PRISON	\$6,000	\$750,000		

For more information check the site: www.noduicolorado.org

Effective June 2, 2011

1st Offense - DWAI and DUI: The court may suspend the fine. The court may suspend the minimum jail sentence if the person undergoes an evaluation and successfully completes and meets all financial obligations of the appropriate level 1 or level 2 program as determined by the evaluator.

2nd and 3rd or Subsequent Offense – The court may suspend the fine.

Effective April 8, 2011

Bond Conditions

Persons arrested with one or more previous convictions of DUI/DWAI where bond is set, the court shall order that the defendant abstain from alcohol or illegal drug use and that abstinence be monitored. If the defendant seeks relief from the bond conditions, the court shall consider whether it is in the interest of justice and whether public safety is endangered. The court shall also consider whether the defendant has voluntarily enrolled and is participating in the appropriate Level 2 program. The court may ask for additional monitoring. Ignition Interlocks and/or electronic monitoring devices may be required, as well as participation in Ignition Interlock Counseling.

FURTHER INFORMATION FOR PERSONS ARRESTED ON OR AFTER JULY 1, 2010

In addition to DUI, DWAI and DUI Per SE, the following convictions also count as prior offenses in determining whether a driver is a second, third or subsequent time offender;

- Habitual User; (This category is eliminated after January 1, 2014)
- Vehicular Assault,
- Vehicular Homicide
- Aggravated Driving with a Revoked License.

During the mandatory period of imprisonment, an individual may only participate in certain county jail sentencing alternatives (i.e., work, educational, and medical release) if such programs are available through the county where the individual is incarcerated and if it is for the purpose of:

- Continuing a position of employment held at the time of sentencing;
- Continuing attendance at an educational institution at which the individual was enrolled at the time of sentencing; or
- Participation in a court-ordered alcohol or substance abuse education or treatment program.

A second offense that occurs less than five years after a prior conviction is not eligible for alternative sentencing options such as deferred prosecution, a deferred sentence, etc., except under the circumstances listed above. Home arrest for a second offense may only be considered if the second offense is more than five years after the first offense. Third time or subsequent offenders are not eligible for home arrest. Repeat offenders are also not eligible for earned time, good time, or trusty prisoner status while serving their mandatory jail sentences.

In addition to the mandatory jail sentence, fine, and community service, all repeat offenders must complete a period of probation of at least two years. Medical marijuana card holders are not allowed to use marijuana while on probation. (Colorado Court of Appeals February, 2012)

As a condition of probation, the court:

- Is required to impose a one-year suspended jail sentence, all or part of which may be imposed if the offender violates a condition of probation;
- Is required to include a mandate that the offender complete an alcohol or substance abuse treatment program at the offender's expense;
- Is required to order the offender to make restitution;
- May impose additional probation, not to exceed two years, to monitor the offender or ensure that he or she continues to receive treatment;
- May require the offender to begin a treatment program while in jail;
- May require the offender to appear in court at any time during the probation period;
- May require the offender to use an ignition interlock device during the period of probation at the offender's own expense;
- May require the person to submit to continuous alcohol monitoring; and
- May impose any additional conditions of probation that are allowed by law.

The existing minimum persistent drunk driver surcharge is raised from \$50 to \$100, which will be deposited into the existing Persistent Drunk Driver Fund.

EDUCATION AND TREATMENT OF YOUNG IMPAIRED DRIVERS

Every state has laws that carefully regulate underage driving. The more generic laws defined at the national level are presented in the Provider's Guide, with more specific focus on minimal legal drinking age (MLDA) and graduating licensing laws and regulations. Laws specific to the State of Colorado are then outlined to illustrate a state-specific model.

This supplement provides legal information related to driver's licenses and privileges for persons under 21 years of age in the state of Colorado. Further it addresses Minor in Possession (MIP) laws as well as drinking and driving laws specific to Colorado for this age range. It is to be used together with the adult legal supplement to the DWC materials. It does not replace, but rather complements Lesson 2 contained in the Participants Workbooks. Clients under the age of 21 are still being asked to read and review the general Lesson 2 of their workbooks and complete all written exercises. Some of the following information is also found in Chapter 2 of the Adolescent Supplement to the Provider's Guide. More information about nationwide law as well as examples from other states is also located in Chapter 2.

Objectives of Lesson 2 Supplement for Drivers Under 21

- To provide you with specific information about Colorado Laws as they relate to drivers licenses, Minor In Possession laws and drinking and driving
- To help you understand your particular case with respect to the laws

Driver's Permits

There are three types of permits available to minors, called the Driver Education Permit, Driver Awareness Permit and the Minor Instruction Permit. All expire three (3) years from the date of issue, and the young driver must hold the permit at least 12 months before applying for a Driver's license. All applicants must have a completed affidavit of Liability and Guardianship (DR2460). Applicants must also show a certified birth certificate or other acceptable form of identification and their Social Security Number and pass a written test and a vision screening test to be issued an instruction permit. Persons holding a permit may drive only with a certified driving instructor or the person who signed the DR2460 until age 18, at which time they may drive with any certified driver over the age of 21.

Regardless of when the permit was issued, a person under 18 cannot drive a vehicle carrying a passenger under 21 unless the license has been held for 6 months, and cannot carry more than one passenger under 21 until the permit has been held for one year. There are some exceptions (emergency, etc.) that can be found on the Colorado Department of Revenue Website, or by contacting the Department of Revenue. (Colorado Dept. of Revenue, 2008).

Driver Education Permit is available to minors 15 years – 15 years 6 months of age. In order to qualify for this type of permit, a student must present a completed Affidavit of Completion of a Driver Education Classroom Course or BTW (back of the DR2460) showing completion of the classroom portion of a department-approved Driver Education Program within 6 months prior to applying for the permit.

Driver Awareness Permit is available to minors 15 years 6 months – 16 years of age. In addition to the general requirements above, a minor must provide documentation indicating they have completed a 4-hour driver awareness program approved by the department. No classroom program is required.

Minor Instruction Permit is available to minors 16 -21 years of age. They no longer need to provide proof of a classroom driver education course or on-line driver education course. All general requirements apply.

When issued a driving permit, there are some specific restrictions:

- no more than one passenger under 21 in car
- cannot drive between midnight and 5:00 AM unless they have held permit 12 full months
- can drive to and from work if the driver has a signed statement from employer stating the necessity
- may drive during hours from midnight to 5:00 AM for a school sponsored activity and there is no transportation provided by school officials
- may not use a cell phone in the car unless car is parked or calling 911
- after age 18 above restrictions no longer apply if driver has a license.

In order to go from a permit to a minor operator's license, the applicant must have logged 50 hours of behind the wheel time while driving with a permit and a parent or guardian in the front passenger seat, and pass a driving test.

Effective October 1, 2009, the operation of low power scooters requires a driver's license. All of the laws and rules including those pertaining to alcohol and other drugs will apply.

Points for Underage Drivers with Non-Alcohol/Drug Offenses

When you get your license you have 0 points. Every time you have a violation, you receive points. The number of points varies with the violation. The length of time points remain on your record varies with your age. You may get more information about the number of points for each violation and length of time they remain on your record from the Division of Motor Vehicles.

When a person is convicted of a traffic violation, the court notifies the Motor Vehicle Division (MVD) of the Revenue Department. A conviction occurs when you plead guilty to a charge, pay the ticket which is admitting guilt, or accept a plea bargain. Some tickets will become convictions if you fail to appear in court. Each type of conviction causes a certain number of points to be placed on your traffic record. The MVD places the points on your record and then analyzes your record to see if there are enough points to cause a point suspension. Your age and how many points you have accumulated determine whether your license will be suspended.

Driving records will reflect all activity that has been retained for up to the last seven years. Alcohol violations will remain for life. The number of points necessary for a point suspension is outlined below.

Adult Driver (over 21)

- 12 points in any 12 consecutive months
- 18 points in any 24 consecutive months

Minor Driver (18 years or older)

- 9 points in any 12 consecutive months
- 12 points in any 24 consecutive months
- 14 or more points between the ages of 18-21

Under the Age of 18

- 6 points in 12 consecutive months
- 7 points prior to turning 18

Under Age Driving and Drinking/Driving Offenses

Minor in Possession

A Minor in Possession (MIP) is defined as anyone under the age of 21 who “has or holds any amount of ethyl alcohol anywhere on his person, or that a person owns or has custody of ethyl alcohol or has ethyl alcohol within his immediate presence and control”. (Colorado Statute 18-13-122)

MIP is not focused on drinking and driving, but on the possession of alcohol. For drivers under 21 this means that you can be arrested for MIP if someone else in the vehicle is drinking or has alcohol in their possession. For someone under 21 with a MIP charge, any evaluation or assessment, if required, is done by the treatment agency. If the BAC is .05 or higher for anyone under the age of 21, they are evaluated by the probation department.

What Happens After You Get Your MIP

A conviction for a first MIP offense will mean a fine of not more than \$250.00. In addition to the fine, the court may require that you submit to and complete an alcohol evaluation or assessment, an alcohol education program or alcohol treatment program at your own expense. Even if driving was not involved in your MIP, you will lose your license for 3 months if you fail to complete the required evaluation and/or alcohol education and/or treatment program.

A conviction for a second MIP offense means a fine of not more than \$500.00. The court will require that you submit to and complete an alcohol evaluation or assessment, using Office of Behavioral Health (OBH) approved screening and assessment instruments, an alcohol education program or alcohol treatment program of a minimum of 12 hours over 8 weeks. Parental involvement for a minimum of 4 of the 12 hours is required. The education and/or treatment program will be at your own expense. The court may further require up to twenty-four hours of useful public service. Even if driving was not involved in your MIP, you will lose your license for 6 months.

A third conviction of MIP is a class 2 misdemeanor. You will have to complete a minimum of 20 hours of education/treatment over 13 weeks or more of clinically indicated. There are increased recovery support services provided for you. Family involvement is required. Even if driving was not involved in your MIP, you will lose your license for 1 year.

Colorado Penalties for Underage Drinker Drivers (UDD) with BAC's of .02-.05

Driving “under-the-influence” is dangerous and the penalties for underage drinker/drivers are especially tough. You will face penalties from the court and separate penalties from the Division of Motor Vehicles.

Court Penalties

When you are convicted of a UDD with a BAC of .02 - .05, if it is your first such “zero-tolerance” offense, the court will impose a fine of from \$15.00 to \$100.00. There is no provision for jail time, however you may be sentenced to complete up to 24 hours of community service. For a second or subsequent UDD, the fines are higher, from \$10.00 to \$300.00. In this case, jail time is set at 10-90 days. There is no required Community Service, however, the judge may impose up to 24 hours.

Division of Motor Vehicles

Penalties imposed by the Division of Motor Vehicles are separate from those imposed by the courts. This is not a case of “double jeopardy” because one is a civil conviction and the other is criminal. The law allows for both penalties to occur for a single offense. A first offense of UDD results in an automatic revocation of your license for 3 months. The Division of Motor Vehicles may impose this

revocation even if you are not convicted in a court of law. If you have no additional charges, you may apply for a probationary license after one month restraint.

A second offense of UDD will result in an automatic revocation of 6 months. You may not apply for or receive a probationary license or apply for a new license until you have been revoked for the entire 6 months, even if you turn 21 years of age before the year is over.

A third or subsequent offense of UDD before age 21 will result in an automatic revocation of 1 year. You may not apply for or receive a probationary license or apply for a new license until you have been revoked for the entire 1 year, even if you turn 21 years old before the year is over.

Non-driving Penalties: Effective August 5, 2009, the DMV no longer will take restraint actions for drivers, regardless of age, for the following;

- Criminal mischief
- Defacing property
- Offenses related to the forgery of a traffic ticket issued to a minor
- Unlawful use of a controlled substance
- Unlawful distribution, manufacturing, dispensing, sale or possession substance
- Offenses related to marijuana

Such offenses committed prior to August 2, 2009 will lead to DMV action.

Court

Offenses	Fine	Jail	Community Service
1 st	\$15-100	None	Up to 24 hours
2 nd and Subsequent	\$10-300	10-90 Days	

Division of Motor Vehicles

BAC .02-.05 {C.R.S. § 42-2-126(3)(b)}

- 1st Offense – 3 months. Can request a Probationary Driver License (PDL) after 30 days. The total restraint remains 3 months.
- 2nd Offense – 6 months. No PDL
- 3rd or more offense – 1 year. No PDL

BAC .051-.079 {C.R.S. § 42-2-126(3)(b)}

- 1st Offense – 3 months. No PDL
- 2nd Offense – 6 months. No PDL
- 3rd or more offense – 1 Year. No PDL

BAC .08 and above

- This is treated the same as an adult except that there is no early reinstatement with an interlock on a first offense. {C.R.S. § 42-2-126(3)(II)(A)}

TABLE 4**DMV SUMMARY OF ACTIONS***For Adult Persons (21 plus) Arrested BEFORE January 1, 2014*

	ADMINISTRATIVE NOTICE OF REVOCATION				CRIMINAL CONVICTION	
	BAC Test at or above 0.08		Refused Chemical Testing for ANY Suspected Substance		Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving
Offense	Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving Period Prior to Interlock Eligibility	Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving Period Prior to Interlock Eligibility		
1st ^	9 Months	1 Month, plus 8 Month Initial Interlock Minimum +	1 Year	1 Year *	DUI, 9 Month Revocation; DWAI, 8 Points	DUI, 1 Month, plus 8 Month Initial Interlock Minimum+
2nd ^	1 Year	1 Year *	2 Years	1 Year *	1 Year (If within 5 Years of 1 st Offense)	1 Year
3rd ^	2 Years	1 Year *	3 Years	1 Year *	2 Years	1 Year

^ NOTE: All repeat offenders and all drivers with a 0.17 BAC or greater are classified as Persistent Drunk Drivers (PDD) and must have the Interlock for at least 2 years upon reinstatement.

+ NOTE: Interlock removal is allowed for non-PDD first offenders that perform well on the Interlock for 4 consecutive full calendar months.

*** NOTE:** Those whose offense is prior to 1/1/2014 will be able to take advantage of reduced interlock waiting periods as of 1/1/2014, (See Table 6) However, the minimum interlock restriction of one year for non-PDDs and two years for PDDs still applies.

First Excess BAC 0.08 Driving Offenses Prior to 1/1/2014

CALL DRIVER SERVICES AT **303-205-5613** TO CONFIRM THE SPECIFIC REQUIREMENTS FOR REINSTATING YOUR DRIVING PRIVILEGE

REVOCAION: Your first episode of driving with a BAC of 0.08 or greater results in a 9-month revocation.

- The revocation remains in effect until you complete the reinstatement process.
- ALL Excess BAC reinstatements are processed by mail. You should begin the reinstatement process approximately 1 month before you expect to reinstate.
- If you were 21 or older at the time of the violation, are a Colorado resident, and have no other unsatisfied license restraints, you may reinstate after only 1 month of revocation provided you install an Ignition Interlock Device (Interlock) in every vehicle you own or may drive.
- If your BAC was below 0.17, you reinstate early, drive only an Interlock vehicle and do not have any BAC when you drive, you may be eligible for an unrestricted license after 4 consecutive months of successful Interlock driving.

REINSTATEMENT: (9-month revocation): You must

1. Provide an SR22 from your insurance company and maintain it for 9 months following reinstatement (3 years if an accident was involved, or you have a prior obligation for an SR22);
2. Complete an Alcohol Certification, Form DR2598;
3. Complete an Application for Reinstatement, DR2870; and
4. Mail the SR22, the Alcohol Certification and the Application along with your personal check or money order for \$95 to the address provided on the Application.

EARLY REINSTATEMENT: (1-month revocation plus 8-month Interlock): In addition to items 1-4, you must

5. Have an Interlock installed in every vehicle you own or may drive (call any provider for appt.);
 - Include the notarized Restricted License Ignition Interlock Agreement Affidavit, DR2058, and
 - Include a signed copy of each interlock agreement and of each installation certificate.

HIGH BAC OFFENDER: In addition to items 1, 3, 4 & 5, if your BAC was 0.17 or more, whether or not you reinstate early, you must

6. Enroll in and complete Level II Alcohol Education and Therapy;
 - Include the Affidavit of Enrollment, DR 2643. (This replaces item 2 above.)
7. Have an Interlock restricted license for at least 2 years following reinstatement.

Approximately 3 weeks after we receive your Application with **ALL** required documents, we will send you a Letter of Clearance. You **MUST** then apply for a license at any Colorado Driver License Office. Only after you have the license in hand is it lawful for you to drive. For further assistance, call Driver Services at 303-205-5613.

COLORADO'S ONLY AUTHORIZED INTERLOCK PROVIDERS

Intoxalock (CST) 877.777.5020	Draeger 800.332.6858	Guardian 800.499.0994	LifeSafer (fka National) 800.475.5490	Smart Start 800.880.3394
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While your privilege to drive is Interlock restricted:

- Your Interlock restriction may be extended if you, on 3 or more occasions, drink ANY alcohol before you attempt to drive – even if you drink the night before you attempt to drive.
- Your privilege to drive will be revoked for at least 1 year if even once you drive a non-equipped vehicle or try to circumvent or bypass the Interlock under any circumstances.

For more information and to download forms, go to www.colorado.gov/revenue/dmv

TABLE 5**DMV SUMMARY OF ACTIONS***For Adult Persons (21 plus) Arrested ON OR AFTER January 1, 2014*

	ADMINISTRATIVE NOTICE OF REVOCATION				CRIMINAL CONVICTION	
	BAC Test at or above 0.08		Refused Chemical Testing for ANY Suspected Substance		Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving
Offense	Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving Period Prior to Interlock Eligibility	Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving Period Prior to Interlock Eligibility	Total Revocation Period, Including Interlock Eligibility	Mandatory No Driving
1st ^	9 months	1 Month, plus 8 Month Initial Interlock Minimum+	1 Year	2 Months	DUI, 9 Month Revocation; DWAI, 8 Points	DUI, 1 Month, plus 8 Month Initial Interlock Minimum+
2nd ^	1 Year	1 Month	2 Years	2 Months	1 Year (If within 5 Years of 1 st Offense)	1 Month
3rd ^	2 Years	1 Month	3 Years	2 Months [!]	2 Years	1 Month

^ NOTE: All drivers with a 0.15 BAC or greater, all repeat offenders, and all drivers that refuse chemical testing for any suspected substance are classified as Persistent Drunk Drivers (PDD) and must have the Interlock for at least 2 years upon reinstatement.

+ NOTE: Interlock removal is allowed for non-PDD first offenders that perform well on the Interlock for 4 consecutive full calendar months.

! NOTE: This Early Reinstating Driver will have to have Interlock for the longer of 2 Years or what would have been the remaining period of revocation at the time of reinstatement.

First Excess BAC 0.08 Driving Offenses On or After 1/1/2014

CALL DRIVER SERVICES AT **303-205-5613** TO CONFIRM THE SPECIFIC REQUIREMENTS FOR REINSTATING YOUR DRIVING PRIVILEGE

REVOCAION: Your first episode of driving with a BAC of 0.08 or greater results in a 9-month revocation.

- The revocation remains in effect until you complete the reinstatement process.
- ALL Excess BAC reinstatements are processed by mail. You should begin the reinstatement process approximately 1 month before you expect to reinstate.
- If you were 21 or older at the time of the violation, are a Colorado resident, and have no other unsatisfied license restraints, you may reinstate after only 1 month of revocation provided you install an Ignition Interlock Device (Interlock) in every vehicle you own or may drive.
- If your BAC was below 0.15, you reinstate early, drive only an Interlock vehicle and do not have any BAC when you drive, you may be eligible for an unrestricted license after 4 consecutive months of successful Interlock driving.

REINSTATEMENT: (9-month revocation): You must

1. Provide an SR22 from your insurance company and maintain it for 9 months following reinstatement (3 years if an accident was involved, or you have a prior obligation for an SR22);
2. Complete an Alcohol Certification, Form DR2598;
3. Complete an Application for Reinstatement, DR2870; and
4. Mail the SR22, the Alcohol Certification and the Application along with your personal check or money order for \$95 to the address provided on the Application.

EARLY REINSTATEMENT: (1-month revocation plus 8-month Interlock): In addition to items 1-4, you must

5. Have an Interlock installed in every vehicle you own or may drive (call any provider for appt.);
 - Include the notarized Restricted License Ignition Interlock Agreement Affidavit, DR2058, and
 - Include a signed copy of each interlock agreement and of each installation certificate.

HIGH BAC OFFENDER: In addition to items 1, 3, 4 & 5, if your BAC was 0.15 or more, whether or not you reinstate early, you must

6. Enroll in and complete Level II Alcohol Education and Therapy;
 - Include the Affidavit of Enrollment, DR 2643. (This replaces item 2 above.)
7. Have an Interlock restricted license for at least 2 years following reinstatement.

Approximately 3 weeks after we receive your Application with **ALL** required documents, we will send you a Letter of Clearance. You **MUST** then apply for a license at any Colorado Driver License Office. Only after you have the license in hand is it lawful for you to drive. For further assistance, call Driver Services at 303-205-5613.

COLORADO'S ONLY AUTHORIZED INTERLOCK PROVIDERS

Intoxalock (CST) 877.777.5020	Draeger 800.332.6858	Guardian 800.499.0994	LifeSafer (fka National) 800.475.5490	Smart Start 800.880.3394
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While your privilege to drive is Interlock restricted:

- Your Interlock restriction may be extended if you, on 3 or more occasions, drink ANY alcohol before you attempt to drive – even if you drink the night before you attempt to drive.
- Your privilege to drive will be revoked for at least 1 year if even once you drive a non-equipped vehicle or try to circumvent or bypass the Interlock under any circumstances.

For more information and to download forms, go to www.colorado.gov/revenue/dmv

Repeat Offenders and Offenders that Refuse Chemical Testing for Any Suspected Substance on or After 1/1/2014

IMPORTANT: YOUR PRIVILEGE TO DRIVE IS INTERLOCK RESTRICTED AND WILL REMAIN INTERLOCK RESTRICTED FOR AT LEAST TWO YEARS FOLLOWING RESTORATION OF YOUR DRIVING PRIVILEGE. IF YOU ARE A COLORADO RESIDENT, AN ADULT OFFENDER, AND YOU INSTALL AND MAINTAIN THE INTERLOCK IN EVERY VEHICLE THAT YOU OWN OR MAY DRIVE, YOU CAN RESTORE YOUR PRIVILEGE EARLY.

CALL DRIVER SERVICES AT **303-205-5613** TO CONFIRM YOUR SPECIFIC REQUIREMENTS AND ACQUIRE FORMS OR VISIT US ONLINE AT www.colorado.gov/revenue/dmv

THE REVOCATION: Your second or subsequent episode of driving with a **BAC** of 0.08 or greater results in a 1 year revocation for your second offense, or a 2 year revocation for your third or subsequent offense. Your **Refusal** to test for any suspected substance at the time of arrest results in a 1 year revocation for your first offense, a 2 year revocation for your second offense, or a 3 year revocation for a your third or subsequent offense.

- The revocation remains in effect until you complete the reinstatement process.
- Your privilege to drive is Interlock Restricted and will remain Interlock Restricted **FOLLOWING** the reinstatement process for the longer of 2 years or the period of revocation remaining at the time of your early reinstatement.
- ALL reinstatements are processed by mail. You should begin the reinstatement process approximately 1 month before you expect to reinstate.

REINSTATEMENT: You must

1. Provide an SR22 from your insurance company and maintain it for 3 years following reinstatement;
2. Provide evidence of successful completion of Level II Alcohol Education and Treatment or an Affidavit of Enrollment, DR 2643; (Education and Treatment must commence following the most recent offense.)
3. Have an Interlock installed in every vehicle you own or may drive (call any provider for appt.);
 - Include the notarized Restricted License Ignition Interlock Agreement Affidavit, DR2058, and
 - Include a signed copy of each Interlock Agreement and of each Installation Certificate.
4. Complete an Application for Reinstatement, DR2870,
5. Mail the SR22, the Affidavit of Enrollment or evidence of successful completion, all required Interlock documents, the Application for Reinstatement and your personal check or money order for \$95 to the address provided on the Application.

AGAIN, YOUR PRIVILEGE TO DRIVE REMAINS INTERLOCK RESTRICTED FOR AT LEAST 2 YEARS FOLLOWING REINSTATEMENT. PLEASE CONSIDER EARLY REINSTATEMENT.

EARLY REINSTATEMENT: If you were 21 or older at the time of the violation, are a Colorado resident, and have no other unsatisfied license restraints, you may reinstate after only 1 month if your revocation is for Excess BAC, or 2 months if your revocation is for Refusing. CALL DRIVER SERVICES AT 303-205-5613 TO CONFIRM YOUR ELIGIBILITY.

Approximately 3 weeks after we receive your Application with **ALL** required documents, we will send you a Letter of Clearance. You **MUST** then apply for a license at any Colorado Driver License Office. Only after you have the license in hand is it lawful for you to drive. For further assistance, call Driver Services at 303-205-5613.

COLORADO'S ONLY AUTHORIZED INTERLOCK PROVIDERS

Intoxalock (CST) 877.777.5020	Draeger 800.332.6858	Guardian 800.499.0994	LifeSafer (fka National) 800.475.5490	Smart Start 800.880.3394
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While your privilege to drive is Interlock restricted:

- Your Interlock restriction may be extended if you, on 3 or more occasions, drink ANY alcohol before you attempt to drive – even if you drink the night before you attempt to drive.
- Your privilege to drive will be revoked for at least 1 year if even once you drive a non-equipped vehicle or try to circumvent or bypass the Interlock under any circumstances.

Sources of Information

The following sources were used for this summary of Colorado Laws related to Alcohol and Other Drug-Impaired Driving:

- Colorado Revised Statutes 16-4-103: *Bond Requirements*
- Colorado Revised Statutes 18-3-106: *Vehicular Homicide*
- Colorado Revised Statutes 18-3-205: *Vehicular Assault*
- Colorado Revised Statutes 42-1-102: *Definitions*
- Colorado Revised Statutes 42-2-105: *Restrictions & Sanctions – Under 18 Drivers*
- Colorado Revised Statutes 42-2-122: *Department may Cancel License*
- Colorado Revised Statutes 42-2-125: *Revocation of Licenses based on Convictions*
- Colorado Revised Statutes 42-2-126: *Revocations for Excess BAC and Refusal*
- Colorado Revised Statutes 42-2-127: *Authority to Suspend License*
- Colorado Revised Statutes 42-2-129: *Mandatory Surrender of License after DUI*
- Colorado Revised Statutes 42-2-132.5: *Mandatory and Voluntary Interlock*
- Colorado Revised Statutes 42-2-202: *Habitual Offender*