

# DMV Driving Under The Influence QUICK TIPS

## .08 Is Nevada Law!

### Illegal Per Se Law

"Illegal per se" means that the operation of a vehicle by a person with a blood alcohol content (BAC) at or above the legally defined threshold constitutes an offense of impaired driving in and of itself. Nevada's blood alcohol limit is .08 and .04 for commercial drivers. Note that these limits are only guides. Drivers can be arrested and convicted for DUI with a lower BAC reading or for driving under the influence of controlled or prohibited substances. (NRS 484.379)



### Implied Consent Law

You cannot refuse testing! A person driving or in actual physical control of a vehicle is deemed to have given his consent to breath or blood testing. Refusal is grounds for an arrest. (NRS 484.382 and 484.383) Law enforcement may use reasonable force to obtain blood samples. (NRS 484.386)



Call **Star NHP** or  
**911** on your  
cellular phone to  
report drunk  
drivers.

### How to Spot a Drunk Driver and What to Do

These warning signs should be your signal to take down a license plate number and vehicle description to report to the proper authorities. Do not attempt to stop or follow the vehicle.

- Weaving, swerving, wide turns, straddling lanes
- Sudden stops, delayed starts, driving too slowly
- Rapid acceleration or deceleration
- Driving with headlights off at night
- Appearing to be drunk – drinking in vehicle, face close to windshield, lack of peripheral vision

## Local Resources

### Stop DUI

Las Vegas – (702) 456-7867

### Mothers Against Drunk Driving

Reno – (775) 322-8852  
Winnemucca – (775) 625-3500  
Dayton – (775) 246-7522



Below are penalties for a typical DUI first offense. Penalties for subsequent convictions are harsher. A third DUI within seven years or a DUI which involves death or substantial bodily harm are felony offenses.

## DUI Penalties

### Criminal

- Arrest
- Vehicle Impounded
- Two days to six months in jail or community service
- Fine \$400 to \$1,000
- Chemical Test Fee \$60
- DUI School or Substance Abuse Treatment
- Victim Impact Panel

### Driver License

- License revoked for 90 days
- \$120 Reinstatement Fee
- \$35 Victims Compensation Civil Penalty
- \$22 Driver License Fee
- DMV Tests – Vision, Knowledge, possibly Skills
- SR-22 Certificate of Liability Insurance required for three years.

A driver license revocation is a separate action from any criminal case. Motorists may appeal a revocation through the DMV Office of Administrative Hearings.

License reinstatement is not automatic, even if the criminal charges were reduced or dismissed. You must meet reinstatement requirements and physically obtain a license to regain your driving privilege.

A revocation which is not reinstated will remain on your record indefinitely and you will not be able to obtain a driver license in any state.

## Your Record

Records of a DUI arrest and/or conviction remain in criminal history files for the rest of your life. A DUI committed more than seven years after a prior conviction is treated as a first offense.

Convictions and license revocations remain on your full DMV record for the rest of your life. DMV reports DUI convictions to insurance companies and employers for three years. A license revocation is reported until the driving privilege is reinstated.

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