

Graduations and DUIs

Community Protection Division

Boulder County District Attorney's Office



Dangers of Driving Under the Influence

Graduation, from high school or college, is a great success which should be celebrated, but oftentimes this celebration includes drugs or alcohol.

In 2021, the Boulder County District Attorney's Office filed 1,533 cases of alcohol or drug related driving offenses. Drunk driving is still the number one cause of death on the road and it is a significant concern in our community and continues to pose a safety risk to other road users.

Colorado law prohibits both driving under the influence (DUI) as well as driving while your ability is impaired (DWAI). When most people think about Colorado's DUI laws they think of the .05 and .08 blood-alcohol content (BAC) limits, however, it is worth pointing out that:

Colorado prohibits any amount of alcohol or drug use that affects the driver to the "slightest degree so that they are less able than they ordinarily would have been, either mentally or physically, or both mentally and physically, to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle."

C.R.S. 42-4-1301

Preventing a DUI/DWAI is Easy!

- ✓ Plan ahead and keep yourself and our community safe
- ✓ Determine who will be your designated driver
- ✓ Forfeit your car keys
- ✓ If a friend or family member can't be a designated driver, consider downloading the Lyft or Uber app to arrange a ride
- ✓ Consider taking an RTD bus
- ✓ Know Colorado's legal drinking age (21) and the legal drinking limit
- ✓ If your friend has been drinking, make sure they have a plan of getting home safely
- ✓ Choose not to consume alcohol or drugs.
- ✓ Empower your kids not to drive themselves or to get into a car with someone else who is impaired
- ✓ If you see a driver with erratic unsafe driving, call 911 or *CSP
- ✓ If you have immediate concerns about someone's life threatening behavior (including getting behind the wheel while under the influence) call 911.

See Reverse for More Information

Questions or Concerns?
Community Protection Division
303-441-3700



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Know the Law Around DUIs and Underage Drinking

Community Protection Division
Boulder County District Attorney's Office



Driving Under the Influence/ Driving While Ability Impaired

C.R.S. 42-4-1301

- **DUI** – A person who drives a motor vehicle or vehicle under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs. (*Substantially incapable of operating a motor vehicle safely*) – BAC .08
- **DWAI** – A person who drives a motor vehicle or vehicle while impaired by alcohol or one or more drugs, or a combination of both alcohol and one or more drugs. (*Impaired to the slightest degree*) – BAC .05
- **Consequences:** Could include fines, jail time, suspension of your license, treatment and education, may also increase the cost of your car insurance, and or death to you or another community member. Potential loss of driver's license.

Underage Drinking and Driving

C.R.S. 42-4-1301

- A person under 21 years of age who drives a motor vehicle when the person's BAC is at least 0.02 but not more than 0.05 at the time of driving or within two hours after driving.
- **Consequences:** Could include fines, jail time, suspension of your license, treatment and education, may also increase the cost of your car insurance, and or death to you or another community member. Potential loss of driver's license.

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Providing Alcohol to Minors

C.R.S. 44-3-901

- It is unlawful for any person to sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of any alcohol beverage to or for any person under the age of twenty-one years.
- **Criminal consequences:** Fines and imprisonment may be imposed by the court.

Minor in Possession

C.R.S. 18-13-122

- A person under twenty-one years of age who possesses or consumes alcohol anywhere in the state of Colorado.
- **Consequences:**
 - 1st: Up to \$100 fine or complete a substance abuse education program, or both
 - 2nd: Up to \$100 fine and complete substance abuse education program. If necessary and appropriate, submit to a substance abuse assessment and complete any treatment recommended by the assessment.
 - 3rd or subsequent: Up to \$250 fine, submit to a substance abuse assessment and complete any treatment recommended by the assessment, and perform up to 36 hours of useful public service
 - Potential **loss of driver's license**.

Contributing to the Delinquency of a Minor

C.R.S. 18-6-701

- It is unlawful for any person to induce, aid, or encourage a minor to violate any federal or state law, municipal or county ordinance, or court order.
- **Criminal consequences:** Fines and imprisonment may be imposed by the court.



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