

From The Beat To The Bench December 2010

Designate A Sober Driver

With the holiday season approaching, I would like to remind everyone to not drink and drive. Before going to a holiday party designate a sober driver for the evening if you plan to consume alcohol. If you are unable to have a sober driver arrange for a taxi ride or friend or family member to pick you up.

This year Mothers Against Drunk Driving (MADD), the Ohio Department of Public Safety (ODPS), the Ohio State Highway Patrol (OSHP), The Motorists Insurance Group, law enforcement agencies from around the state launched the annual "Tie One on for Safety" campaign with a message to drive safe, sober and buckled up.

This is the 24th year for the holiday ribbon campaign which encourages motorists to tie the MADD ribbon to their vehicles as a pledge to be safe on the roadways. The campaign also reminds drivers to buckle up. You can get your ribbon at the Deputy Registrars office at 4660 Liberty Avenue.

In 2009, 390 people died in alcohol-related crashes on Ohio's roads (down from 449 in 2008 and 473 in 2007). Alcohol impaired drivers are involved in 38.16 percent of all fatalities. Of these fatalities, 37 of the fatalities occurred between Thanksgiving and New Years. An estimated 254,000 persons were injured in crashes where police reported that alcohol was present. According to the National Highway Traffic Safety Administration, drivers 21-24 years old have the highest intoxication rates in fatal crashes followed by ages 25-34 and 35-44. The minimum drinking age in Ohio is 21

Blood Alcohol Concentration, or BAC, is a measure of the amount of alcohol in the body. BAC is measured by testing the breath, urine or saliva. In Ohio, you are considered impaired if you test .08 percent BAC. This means you have 8/10 of a drop of alcohol for every 1,000 drops of blood. If you are under 21 and you test at least .02, or if you are a commercial driver and test .04, you are considered legally impaired. Several factors affect a person's absorption of alcohol. They include: weight, gender, amount of food in the digestive tract and time spent drinking.

Law enforcement around the state are planning more than 4100 hours of enforcement this holiday season including 15 sobriety checkpoints and more than 1400 hours of saturation patrols. These efforts are funded and coordinated by Ohio Traffic Safety Office. The Ohio State Highway Patrol will have a visible presence on the highways and the Ohio Investigative Unit will be enforcing liquor laws.

You can help the Ohio State Highway Patrol get tough on drivers who continue to drink and drive or those who drive with a suspended license after one or more OVI convictions. Some signs that the driver may be impaired are: makes wide turns, straddles center lane, swerves suddenly, weaves, no headlights at night, drives in opposing traffic or follows too closely. Call their toll free hot line 1-800-472-2384 (1800-GRAB-DUI) anywhere in Ohio and a state trooper will answer your call.

Drinking and driving is a serious crime. It's a first degree misdemeanor with a maximum jail sentence of six months. If you are stopped for drunk driving and refuse to take the test or if your test results exceed .08%, the officer will suspend your driver license and the administrative suspension (ALS) begins immediately. This suspension is independent of any jail term, fine or other criminal penalty imposed by court for an OVI conviction.

Some penalties for a first time OVI offense include a minimum of 3 days in jail or a 72 hour intervention program, alcohol/drug assessment, \$375-\$1,075 fine and a 6 month license suspension with possible driving privileges. However, OVI's are enhanceable offense which means that the penalties get more severe for each additional offense.

If a person is caught driving while under an OVI suspension penalties include 3 days jail with possible house arrest for 30 days to 6 months, \$250.00-\$1,000.00 fine a driver's license suspension not to exceed one year and immobilization of defendant's vehicle for 30 days.

Please remember if you own a vehicle and loan a car to someone who you know or have reason to believe is under a license suspension you can be held criminally liable for wrongful entrustment. Penalties include up to 180 jail time, 1 year driver license suspension, 30 day immobilization or, impoundment, and up to a one year driver's license suspension and possible vehicle forfeiture.

Finally everyone should be prepared on the roads this holiday season. With the recent snowfall in our area you may want to have a flashlight, booster cables, blanket, first aid kit or a small shovel in your car for a possible emergency. Please be cautious regarding the road conditions and keep plenty of distance between the car in front of you. Most importantly please have a designated driver if you plan to consume alcohol during the holiday season.