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## THE DIFFERENT TYPES OF DUI CHARGES

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A lot of laws surround **DUIs**, **DWIs**, and other alcohol-related traffic violations. As with many legal matters, the rules and consequences can vary greatly depending on where you live. However, several general rules still hold true no matter where you are or what circumstances you find yourself in. Knowledge is power when it comes to DUI charges and convictions the more you know, the better you can navigate your way through the situation as you work to return to normal life. It's important to brush up on your state's individual laws and procedures, but before you do that, learn more about the <u>different types of DUI charges</u> you might face with this guide.

### **Driving Under the Influence**

A DUI—or driving under the influence—is one of the main types of drunk driving charges. Every single state has a driving under the influence law or some variation, such as driving while intoxicated (DWI) or operating under the influence (OUI). These laws refer to the act of driving or operating a vehicle when one is impaired by alcohol or drugs. If you're caught driving under the influence, it doesn't matter what your blood alcohol content is or whether or not the intoxicating substance is legal. As long as you were in control of a vehicle and your driving ability was noticeably impaired by alcohol, drugs, or both, you can receive a driving under the influence charge. It's important to remember that this offense covers a wide range of vehicles, not just cars. It also extends to drunk biking, motorcycling, boating, and more. The specifics regarding these vehicles vary from state to state—for example, some states define bicycles as vehicles, while other don't—but it's still important to take these violations seriously.

Because this type of DUI charge relies on a person (such as a law enforcement officer) perceiving someone else's intoxicated state, the circumstances around it can vary widely. Everyone handles intoxication differently. Someone who is still under the legal blood alcohol content level might still suffer from impaired judgement and reaction times. On the other hand, another individual might be over the legal limit but still appear to be sober. Therefore, police officers or prosecutors often must make judgment calls about a driver's impairment. This also means it's possible to argue that you were not driving under the influence, even if your blood alcohol content was above the legal limit.

### **Driving with a BAC Above the Legal Limit**

Another way to determine whether someone is operating a vehicle under the influence of alcohol is through their blood alcohol content. If an officer pulls you over for drunk driving, they'll likely perform a breathalyzer test to determine your blood alcohol content level. Every single state considers a driver intoxicated if their blood alcohol content level is .08% or higher. Many states consider this to be a more significant deciding factor than a driver's level of impairment. This means that even if someone was driving safely and responsibly, they can still receive a DUI charge because of their blood alcohol content. Juries can usually find someone guilty for either driving under the influence or driving with an illegal blood alcohol content level. Most states hold the same consequences for each verdict.

#### **Exceptions to the .08% Limit**

All states consider someone with a <u>blood alcohol content level of .08%</u> or higher legally intoxicated, but you can still receive a DUI charge while under that limit. Some states have lower, stricter limits for younger or less experienced drivers—particularly in the case of minors who can't legally consume alcohol. Commercial drivers also face higher standards when it comes to driving under the influence. The Federal Motor Carrier Safety Administration (FMCSA) recommends a blood alcohol content limit of .04% or higher, and most states adhere to that for commercial drivers. The FMCSA also mandates that drivers do not operate commercial vehicles within four hours of consuming any amount of alcohol.

#### **Different Levels of Offense**

All the different types of DUI charges come with severe repercussions. However, the consequences of a DUI charge will vary depending on your state laws, past driving record, and additional damage done or laws broken. Every state handles these details differently, but you can learn and keep in mind a few general rules.

### **First Offense**

Most DUI charges are a first offense, and the consequences for a first offense are often less severe. For example, first-offense DUIs are often only misdemeanors. This could lead to jail time, fines, alcohol education programs, and other penalties. However, because they're often misdemeanors, first offenses are less likely to lead to losing certain rights, such as voting, serving on a jury, or pursuing certain careers. Despite this, it's important to remember that even a first-offense DUI has significant effects on your life and will remain on your driver's record for years to come.

## **Second Offense**

If you face a second DUI charge within a certain number of years, the consequences will be more severe than they were for your first offense. Once again, the specifics depend on your state's laws and the circumstances surrounding the event. However, you can expect to see higher fines, longer jail time, and other increased penalties. You'll also likely find yourself up against harsher standards than the first time you received a DUI. For example, your blood alcohol content level might play a larger role in deciding your sentence this time around.

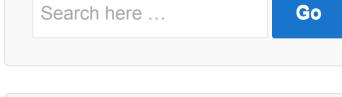
# **Felony DUI**

Most DUI cases are misdemeanors, but it's possible for them to escalate to felonies. Every state has its own rules regarding this, but a few reasons why it might happen include:

- If it's a driver's third (or higher) offense
- If the driver's blood alcohol content level is .16% or higher
- If the driver causes injury or death to another person If there are children in the vehicle
- If the driver has a restricted or invalid license Felony DUIs have much more severe consequences than misdemeanors. Once again, the

details about what is and is not considered a felony depend on your state. It's important to read up on state and federal laws regarding driving under the influence. The more you know, the better prepared you'll be to address the problem and work your way through it.

No matter what kind of DUI charge you receive, you don't have to face the consequences alone. If you need to obtain SR22 insurance after a DUI charge, Serenity Group has your back. We'll help you find the best quotes for SR22 insurance in California, Colorado, or any other state you live in. When you find the best SR22 insurance policy for your situation, you can focus your energy on working through your other penalties and returning to normal life as quickly as possible.



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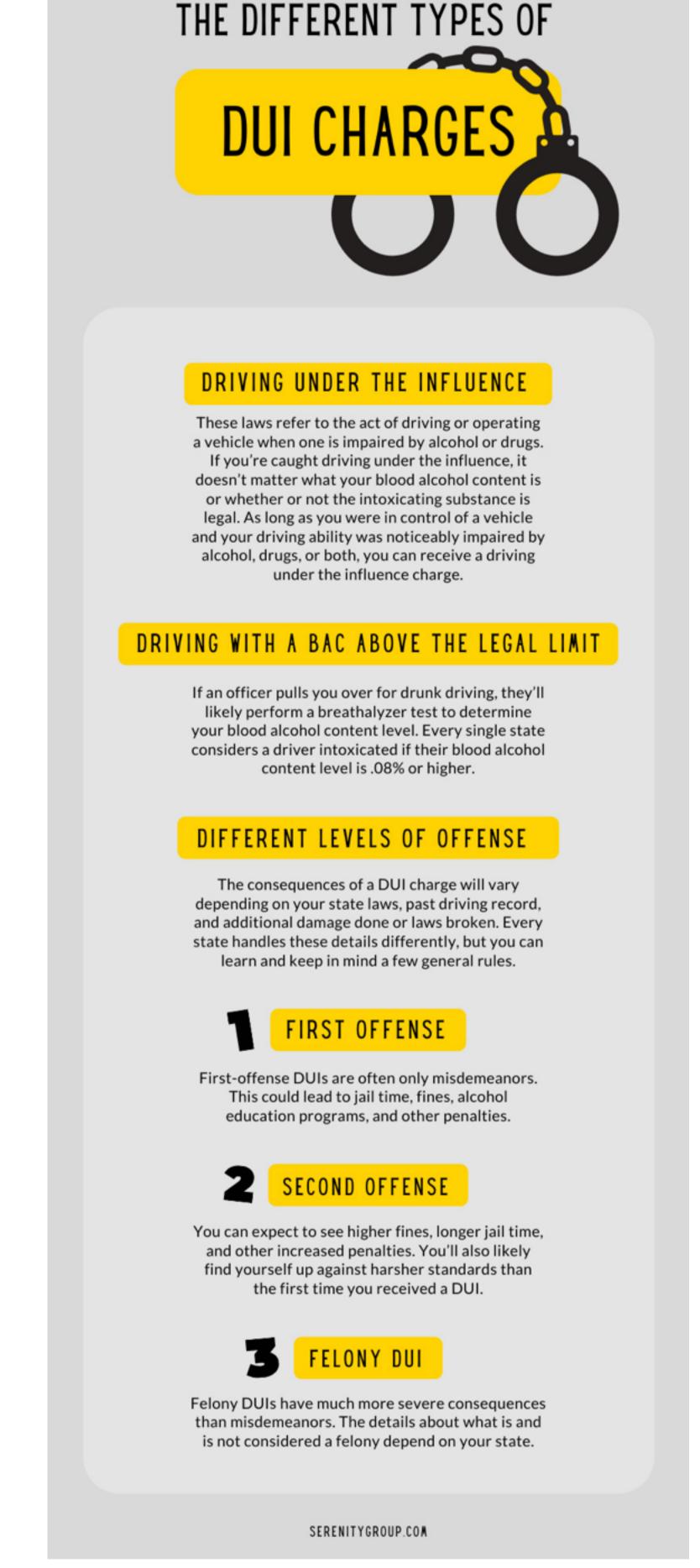
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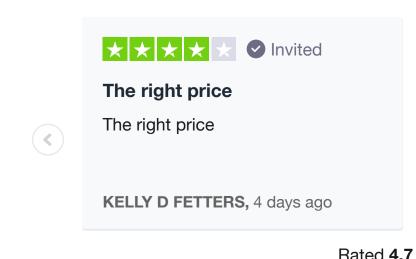
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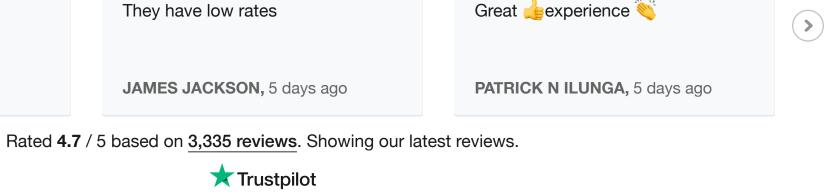


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