

The Law in Texas

Driving While Intoxicated

The Legal Limit. The legal limit for intoxication in Texas is .08 blood or breath alcohol concentration (BAC). However, drivers can be stopped and cited for impaired driving due to alcohol or other drugs regardless of BAC. Texas also has a zero tolerance law. For anyone under 21, it is illegal to drive with any detectable amount of alcohol.

How Much is Too Much? Impairment begins with the first drink. Gender, body weight, the number of drinks consumed and the amount of food in one's stomach affect the body's ability to handle alcohol. Women, younger people and smaller people, whether male or female, often have lower tolerances.

What Happens If You're Stopped. If a law enforcement officer asks you to take a blood or breath test to measure how much alcohol is in your system, you should comply. If you refuse, you are subject to an automatic 180-day driver's license suspension. Punishment for DWI varies depending on the number of times you've been convicted.

First Offense:

- * up to a \$2,000 fine
- * 72 hours to 180 days in jail
- * driver's license suspension: 90 days to 1 year

Second Offense:

- * up to a \$4,000 fine
- * 30 days to 1 year in jail
- * driver's license suspension: 180 days to 2 years

Third Offense:

- * up to a \$10,000 fine
- * 2 to 10 years in penitentiary
- * driver's license suspension: 180 days to 2 years

Underage Drinking

If you're under 21, here's what happens the first time you are found in possession of alcohol.

Any amount of beer, wine or liquor will trigger the penalties.

- * 30-day driver's license suspension
- * up to a \$500 fine
- * 8 to 12 hours of community service
- * mandatory attendance in alcohol-awareness classes

A second or third offense can lead to suspension of your driver's license for 90 to 180 days. If you're 17 or older, you also can be fined as much as \$2,000 and go to jail for up to 180 days for a third offense.

If you're under 21, here's what happens the first time you are stopped for drinking and driving.

- * 60-day driver's license suspension
- * up to a \$500 fine
- * 20 to 40 hours of community service
- * mandatory attendance in alcohol-awareness classes

Get caught drinking and driving a second or third time, and the penalties increase, including suspension of your driver's license for up to 180 days. That's called zero tolerance. It means "zero" alcohol. And that's the law in Texas.

If you're 17 and over, here's what happens if you're stopped for drinking and driving with a blood alcohol concentration of .08 or greater.

Some people, particularly teenagers, can reach a .08 BAC with two or three beers an hour.

- * up to a \$2,000 fine
- * 72 hours to 180 days in jail
- * driver's license suspension of 90 days to one year