



State:

Idaho

Statute/Law:

Section 18-8004: *PERSONS UNDER THE INFLUENCE OF ALCOHOL, DRUGS OR ANY OTHER INTOXICATING SUBSTANCES.*

Per Se Law?:

No

Statute/Law Language:

(1) (a) It is unlawful for any person who is under the influence of alcohol, drugs or any other intoxicating substances, or any combination of alcohol, drugs and/or any other intoxicating substances, or who has an alcohol concentration of 0.08, as defined in subsection (4) of this section, or more, as shown by analysis of his blood, urine, or breath, to drive or be in actual physical control of a motor vehicle within this state, whether upon a highway, street or bridge, or upon public or private property open to the public.

Penalties Following Conviction:

First offense: (a) May be sentenced to jail for a term not to exceed six (6) months; (b) May be fined an amount not to exceed one thousand dollars (\$1,000); (c) Shall have his driving privileges suspended by the court for a period of thirty (30) days

Second Offense within 10 years: 10 days imprisonment (mandatory) - 1 year, not more than \$2000 fine;

Third Offense within 10 years: Not more than 10 years imprisonment (if incarceration not imposed, 30 days mandatory in jail), not more than \$5000 fine, 1-5 year license suspension upon release from confinement; for Aggravated DUI offense (involving serious bodily injury or death) – Not more than 15 Years Prison.

Discretionary Court-Ordered Penalties:

The court may also order, work detail programs, community service, restitution, and electronic monitoring during probation. Defendants shall undergo alcohol/drug evaluation at their own expense.





For more information:

<http://www.legislature.idaho.gov/idstat/Title18/T18CH80SECT18-8004.htm> AND

<http://legislature.idaho.gov/idstat/Title18/T18CH80SECT18-8005.htm>

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