

# KEY POINTS TO REMEMBER

(Revised 6/4/12)

## I. BLOOD ALCOHOL LEVEL:

- Age 21 and above – 0.08% is illegal
- Under age 21 – 0.02% is illegal

## II. IF YOU HAVE BEEN DRINKING, DON'T GIVE AN OFFICER REASON TO STOP YOU

### Officers will stop you for things at night that they let slide in the daytime:

1. Speeding by **ANY** amount/rapid acceleration;
2. Changing lanes or turning without signaling;
3. Failure to drive within marked lanes;
4. Inoperative headlight/taillight/license plate light;
5. Loud muffler and/or loud music;
6. Stopping on or beyond the white line at an intersection;
7. U-turns;
8. No seatbelt – police officers may now stop you for this.
9. Turning left into the curb lane or turning right into the inside lane on a 4-lane road.
10. If you have been drinking and decide to pull over and sleep it off, you will still be charged with OVI if the keys are in the ignition, or are in your possession, or are within your reach, even if the engine is turned off. To be safe, turn the engine off, get in the passenger seat, and throw the keys in the back seat.
11. No front license plate (Ohio requires rear and front plates).

## III. IF YOU'RE STOPPED AND YOU HAVE BEEN DRINKING, YOU SHOULD PRESUME YOU WILL BE ARRESTED FOR DUI, SO DON'T GIVE THE OFFICER EVIDENCE TO USE AGAINST YOU:

1. **NEVER** ...answer questions about drinking – whether; what; how many; when. You should not answer at all, or say “I’m not going to answer any questions until I’ve had an opportunity to speak with an attorney.”
2. **NEVER**...submit to field sobriety tests (eye check; one leg stand; heel-to-toe walk, etc.). You are not required to take them;
3. **NEVER**...submit to a portable breath testing device (officers carry these in their car, and use them **BEFORE** you are placed under arrest);
4. **NEVER**...lie to the officer – instead, don't answer the questions;
5. **NEVER**...give the officer a hard time.

## IV. IF YOU'RE ARRESTED FOR OVI: Take the “official” breath, blood, or urine test only IF you are going to pass it

1. **NEVER**...submit to a breath, blood, or urine test **IF you are going to fail it**; you should take the test **ONLY IF** you'll pass it (see chart below).
2. See No. 4 and 5 in Article III;
3. **NEVER**...let the officer take you home. Get someone to pick you up, no matter how late it is.

### KNOW YOUR LIMIT

Your limit is the highest number of drinks that will keep your BAC below .02% if <21, and <.08% if 21 or older. Always stop at one (1) drink less than your limit. That way, you should pass the breath test if arrested.

**NUMBER OF DRINKS TO REACH APPROX. BLOOD ALCOHOL CONTENT (BAC)**

DRINKS		BODY WEIGHT IN POUNDS									
		100	120	140	160	180	200	220	240		
One drink =	1	0.04	0.03	0.03	0.02	0.02	0.02	0.02	0.02	<b>LEGAL</b>	
1 oz. of 100 proof liquor,	2	0.08	0.06	0.05	0.05	0.04	0.04	0.03	0.03		
4 oz. of table wine, or	3	0.11	0.09	0.08	0.07	0.06	0.06	0.05	0.05		
12 oz. of beer	4	0.15	0.12	0.11	0.09	0.08	0.08	0.07	0.06		
	5	0.19	0.16	0.13	0.12	0.11	0.09	0.09	0.08		
	6	0.23	0.19	0.18	0.14	0.13	0.11	0.10	0.09		
	7	0.26	0.22	0.19	0.16	0.15	0.13	0.12	0.11		<b>ILLEGAL</b>
	8	0.30	0.25	0.21	0.19	0.17	0.15	0.14	0.13		
	9	0.34	0.28	0.24	0.21	0.19	0.17	0.15	0.14		
	10	0.38	0.31	0.27	0.23	0.21	0.19	0.17	0.16		

Subtract .01% for each hour of drinking after first hour. You are legally “under the influence” at a BAC of .08% or higher.

NOTE: Persons under the age of 21 are illegal at .02%