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FOR IMMEDIATE RELEASE

DRUNK DRIVERS MUST TO BLOW TO GO

Starting January 1, 2009, a new drunk driving law, P.A. 095-0400, goes into effect. The law will require eligible DUI defendants to install breath-alcohol-ignition-interlock devices on their cars if they want to drive while their driver's licenses are suspended. These devices require drivers to blow into them. Once a person gives a breath sample, the interlock device will analyze the sample and prevent the person's vehicle from running if the sample registers too high of a blood-alcohol content.

Under current law, eligible defendants must have judicial driving permits in order to drive while their licenses are suspended. Judicial driving permits allow driving only for limited purposes such as driving to and from work. Under the new law, drivers will be able to drive whenever and wherever they want as long as the vehicles they drive are equipped with interlock devices.

According to Charleston DUI lawyer Jeremy Richey, the new law can be viewed as both good and bad from the perspective of suspended drivers. "On one hand, drivers eligible for the devices will have greater freedom to drive, but on the other hand, the devices will add expense and hassle that drivers under the current judicial-driving-permit law don't have to deal with," Richey said. He also added that statutory-summary-suspension periods increase under the new law. "First-time offenders who submit to breath tests but fail will be suspended for 6 months and those who refuse testing will be suspended for 12 months," he said.

Persons unable to afford the devices will receive financial assistance from a pool funded with a percentage of the revenue generated from installation and use of the interlock devices.

A person subject to the new law that drives a vehicle without an ignition-interlock device commits a Class 4 felony.

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