

If you are arrested for DUI in a state other than the one of your residence then you are just as guilty for DUI offense as if you are in your home state. The only difference being that may not be prosecuted for DUI in your home state if you are a resident of a state that is not part of the Interstate Driver's License Compact. The Interstate Driver's License Compact (IDLC) is an agreement between states that agree to report your out-of-state DUI arrest to you state of residence. So if you are a Californian driver and are arrested in a state other than California, then that state (if it is a member of the IDLC) will report your arrest and charge to Californian authorities. California is a member of the IDLC and the only non-member states are Wisconsin, Tennessee, Michigan, Massachusetts, and Georgia. DUI offenders in non-member states will not face authorities in their home state but will still be prosecuted in the state of their offense.

The process for DUI/DWI will still result in two separate cases, no matter what state you are from or what state you are in. You will be prosecuted by the Department of Motor Vehicles (DMV) and the state court. An out-of-state resident in California must arrange a DMV hearing with ten days or they will not have the chance to fight suspension and will lose all driving privileges. Regardless of what state you are from you will still be prosecuted by the California court, and if your Blood Alcohol Content is found to be 0.08% or higher, your license will be suspended for at least 30 days and you will be prosecuted as outlined under the California Vehicle Code 23152.

This article was created by [MacGregor and Collins, LLP](#).