



For most people, Halloween is a time to party, wear costumes, and revert back to your childhood. But this year for Michigan drivers who drink and drive, it means much more. On October 31, 2010, Michigan's new "super drunk" laws take effect and it means harsher penalties and more license sanctions than ever before.

Michigan drivers who have a bodily alcohol content (BAC) of .17 or higher will face much harsher penalties. Currently, a first time drunk driving offender who registers a BAC of .08 or higher, faces up to 93 days in jail, \$100-\$500 fine, 45 days of community service, and will have their driver's license suspended for six months, with a restricted license for 5 months. These penalties are in place whether you have a BAC of .08 or a BAC of .30. Now, if you have a BAC of .17 or higher you will face potential jail time of up to 180 days and fines of \$200-\$700.

In addition, the license sanctions have been enhanced. Once convicted under the new law, the Secretary of State will suspend your license for one year, with no driving privileges for the first 45 days. You will be eligible for a restricted license after the first 45 days, provided you have paid to have a breath alcohol ignition interlock device (BAIID) installed on your car. If you do not have a BAIID on your car, you cannot drive for one year.

If you have a BAIID on your car, you will face penalties for operating your car without the BAIID and for operating your car with a BAC of .025 or greater. This means your license sanctions will be doubled, meaning you will face another no driving period of 45 days and another year of a license suspension.

The new law will make the cost of installing and operating the BAIID the responsibility of the driver. The installation cost can be around \$50.00 and monthly fees could be as high as \$100.

The penalties for being charged with [operating while intoxicated \(OWI\)](#) will be increased beginning October 31, 2010. If you are going to drink this Halloween, the best and safest thing to do is call a cab or get a designated driver. If the police do arrest you, call your [Metro-Detroit Criminal Lawyer](#) right away at (586) 439-4297, Extension 0, and come in for your free consultation. Most of the evidence against you would be the datamaster machine, and like all machines, they are prone to operator error and breakdown due to lack of maintenance. Let us fight for you.