



## **Colorado Task Force on Drunk and Impaired Driving**

### **MISSION:**

The mission of the Colorado Task Force on Drunk and Impaired Driving is to support the prevention, awareness, enforcement and treatment of drunk and impaired driving in Colorado through strong partnerships with public, private and non-profit organizations.



## WHY?

- 1 in 3 traffic fatalities in Colorado involve a drunk and/or drugged driver.
- In 2023, 718 people were killed by impaired drivers.
- Last year, 16,259 DUI cases filed across Colorado.



## **Colorado's Express Consent Law and Chemical Test Refusals**

- Providing a chemical sample of breath, blood, urine or saliva is required by Colorado Law when there is reasonable suspicion of impaired driving.
- According to DOR, Chemical test refusals increased from an average of 38% in 2018 to between 42%-49% in 2019-2023.
- Refusing a test may seem like a short-term solution with long lasting and expensive results.



## **Refusal Consequence-Civil**

- 1 Year License Revocation Classification as a Persistent Drunk Driver.
- Requirement of a 2-year interlock upon reinstatement of the driving privileges
- Cost of Interlock - A driver with a 2-year interlock requirement can expect to pay an average of \$3,385.00, not including legal fees and insurance costs.



## **Challenges with Colorado Interlock requirements and the Interlock Financial Assistance Program {C.R.S 42-2-132 (4)(b)(II)}:**

A-2-year interlock requirement costs an average of \$3,385.00 for their requirement based on the following:

- Install cost - \$192.25
- Download/Calibration fees - \$28.75 (monthly)
- Lease Fees - \$99.50 (monthly)
- Uninstall fees - \$114.75

\*Additional fees that could apply, but not factored into the average cost:

- Lockout fees (if applicable) - \$63.75
- MISC. fees (missed appointments, transfer fees, etc.) - \$218.75



## **C.R.S 42-2-132 (4)(b)(II):**

(C) Financial assistance for first-time offenders and persistent drunk drivers. The department shall establish a program to assist persons who apply for an interlock-restricted license pursuant to this subparagraph (II) or pursuant to subparagraph (I) of paragraph (a) of this subsection (4) and who are unable to pay the full cost of an approved ignition interlock device. The program shall be funded from the first-time drunk driving offender account in the highway users tax fund established pursuant to section 42-2-132 (4)(b)(II).



## DWAI or .05 Per Se?

“If at the time of the commission of an alleged offense, or within a reasonable time thereafter, a person's blood alcohol content or breath alcohol content (collectively, "BAC") exceeds 0.05 but is less than 0.08, there is a permissible inference that the person's ability to operate a vehicle was impaired.”

*<https://leg.colorado.gov/sites/default/files/colorado-drunk-driving-laws.pdf>*



## UTAH

According to the National Highway Traffic Safety Administration (NHTSA), an individual with a .05 BAC is more than **two** times more likely to be involved in a crash than an individual with no alcohol in their system.

The fatal crash rate in Utah dropped by **19.89%** in 2018 and by **18.3%** in 2019.





## **Future improvements to DUI Enforcement Updated options for roadside drug detection resources**

- Rapid Oral Fluid Testing (North Dakota/Indiana Pilots)
- Statewide Standardized DUI Form



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