

## **DUI Nuts and Bolts**

Every New DUI Client

2 Separate Cases

Driver's License – Civil & DUI – Criminal (Traffic)

Driver's License – Civil

AST-60

Steps to protecting DL

Request Administrative hearing within 10 days

Send request to Montgomery (DPS)

Instructions on the AST-60

Too late? Administrative review

DL not suspended until 45 days after arrest

DL Suspension

Admin – 90 days

Refusal vs BAC < .15 vs BAC > .15

File a lawsuit – NOT UNTIL notice – ORIGINATES IN CIRCUIT COURT

New interlock laws/impact

DUI – Criminal (Traffic)

Certificate of Analysis

UTC

VIDEO

Safety Checkpoints

5 ways to charge

a1 - .08 (per se)

a2 - alcohol

a3 – controlled substance

a4 – combined influence

a5 – any substance

Case Law on these (2 or 3 cases)

Patrick Mahaney

NHTSA – Certified FST Manual

Phase I – Vehicle in Motion

Phase II – Face to Face

Phase III – FSTs

Totality of the Circumstances

20 Rocks of Crack Cocaine

Touch on drugs & 7 classifications

## 2 Cases

State v. "*Cool Old Dude*" (Florence)

BAC = .16

(a)(1)

Tire blew out

Hit a tree

Failed FSTs

Wife was injured (slightly) and they threatened indict him for assault

Tyndall Effect

Source Code

City of Tuscaloosa v. "*Cool Young Cat*" (Tuscaloosa)

BAC = .16

(a)(2)

Made a turn off University onto Hackberry

Hit a curb upon completion of turn

Failed FSTs

Had a ½ empty bottle of Evan Williams in the floor board

Had three passed out fraternity brothers in the SUV with him