

# DUI Laws



## Illegal Per Se

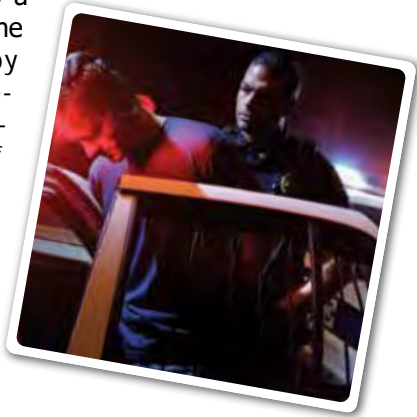
"Illegal per se" means that the operation of a vehicle by a person with a blood alcohol content (BAC) at or above the legally defined threshold constitutes an offense of impaired driving in and of itself. Nevada's blood alcohol limit is .08 and .04 for commercial drivers. Note that these limits are only guides. Drivers can be arrested and convicted for DUI with a lower BAC reading or for driving under the influence of controlled or prohibited substances.

(NRS 484C.110)

## Chemical Tests

Failure to submit to a breath, blood or urine test as directed by a police officer results in a driver's license revocation of at least one year. A blood sample can be drawn involuntarily if the officer obtains a warrant or court order.

(NRS 484C.150-250)



## Call 911 or to report impaired drivers

### How to Spot a Drunk Driver and What to Do

These warning signs should be your signal to take down a license plate number and vehicle description to report to the proper authorities.

Do not attempt to stop or follow the vehicle.

- Weaving, swerving, wide turns, straddling lanes
- Sudden stops, delayed starts
- Driving too slowly
- Driving with headlights off at night
- Rapid acceleration or deceleration
- Turning abruptly or illegally
- Following too closely
- Appearing to be drunk – drinking in vehicle, face close to windshield, lack of peripheral vision

Below are penalties for a typical DUI first offense. Penalties for subsequent convictions are harsher. A third DUI within seven years or a DUI which involves death or substantial bodily harm are felony offenses.

## DUI Penalties

### Criminal

- Arrest
- Vehicle Impounded
- Two days to six months in jail or community service
- Fine \$400 to \$1,000
- Chemical Test Fee \$60
- DUI School or Substance Abuse Treatment
- Victim Impact Panel

### Driver License

- Ignition Interlock in Vehicle or License Revocation
- \$121 Reinstatement Fee
- \$35 Victims Compensation Civil Penalty
- \$42.25 Driver License Fee + \$26 Testing Fee
- DMV Tests – Vision, Knowledge, possibly Skills
- SR-22 Certificate of Liability Insurance required for three years

A driver license revocation is a separate action from any criminal case. Motorists may appeal a revocation through the DMV Office of Administrative Hearings.

License reinstatement is not automatic, even if the criminal charges were reduced or dismissed. You must meet all reinstatement requirements and apply for a license to regain your driving privilege.

A revocation which is not reinstated will remain on your record indefinitely and you will not be able to obtain a driver license in any state.

## Your Record

Records of a DUI arrest and/or conviction remain in criminal history files for the rest of your life. If you are convicted of a felony DUI, you will be charged with a felony in any subsequent DUI arrest.

Convictions and license revocations remain on your full DMV record for the rest of your life. A DUI conviction may show on your driver history for up to ten years. A license revocation is reported until the driving privilege is reinstated.

**zero**<sup>®</sup>  
**Fatalities**

*Drive Safe Nevada*

Nevada Department of Motor Vehicles  
Nevada Department of Transportation  
dmv.nv.com | zerofatalities.nv.com

Updated October 2018