

HOW NOT TO GET ARRESTED FOR DRIVING UNDER THE INFLUENCE:

According to the Ohio Department of Highway Safety: The oldest advice is still the best. If you have anything to drink, DON'T DRIVE. Even small amounts of alcohol can seriously affect your driving ability and judgement long before you feel drunk.

CAN I KNOW IF I HAVE HAD SO MUCH TO DRINK THAT DRIVING WOULD BE ILLEGAL?

The Ohio Supreme Court in a 1984 case included a chart which was previously distributed by the Ohio Department of Highway Safety and which is substantially similar to the one that follows. The court said that such a chart was information readily available to the public "indicating the correlation between alcohol consumption, time, and body weight if one desires to drink and hazard the consequences of driving." State vs Tanner (1984)15 Ohio St. 3d 1 (emphasis added). *While it is felt that this chart may be of interest, the publication or distribution of this chart should not be taken as an indication that the attorney listed here believes that driving with any level of alcohol is safe or that this chart is either accurate or reliable. The law also may have changed since this printing.*

CAUTION: READ THE INFORMATION ABOVE BEFORE YOU CONSIDER WHETHER TO RISK USING THE FOLLOWING CHART

NUMBER OF DRINKS IN ONE HOUR
APPROXIMATE BLOOD ALCOHOL CONTENT (BAC)

DRINKS	BODY WEIGHT IN POUNDS									
	100	120	140	160	180	200	220	240		
One drink = 1 oz. of 100 proof liquor or one 12 oz. beer	1	.04	.03	.03	.02	.02	.02	.02	.02	Reasonable
	2	.08	.06	.05	.05	.04	.04	.03	.03	
	3	.11	.09	.08	.07	.06	.06	.05	.05	Unsafe
	4	.15	.12	.11	.09	.08	.08	.07	.06	
	5	.19	.16	.13	.12	.11	.09	.09	.08	Illegal
	6	.23	.19	.16	.14	.13	.11	.10	.09	
	7	.26	.22	.19	.16	.15	.13	.12	.11	
	8	.30	.25	.21	.19	.17	.15	.14	.13	
	9	.34	.28	.24	.21	.19	.17	.15	.14	
	10	.38	.31	.27	.23	.21	.19	.17	.16	

Subtract .01% for each hour of drinking • In Ohio, the legal BAC limit is 0.08%

SHOULD I ANSWER QUESTIONS OR PERFORM ROADSIDE TESTS FOR THE OFFICER?

Do I have the right to talk with a lawyer before taking any tests?
 Could asking to talk with a lawyer first prevent me from incriminating myself without sounding unreasonable later?

SHOULD I TAKE A BREATH, BLOOD, OR URINE TEST?

Could taking the test cost you your job?
 Could refusing the test cost you your job?
 Does taking the test often have about the same effect as pleading guilty to DUI?
 If taking the test causes you to be convicted will those penalties be worse than the penalties for refusing the test?
 Is it really true that refusing the test always results in a license suspension of one year or more?
 Do you have the right to try to call a lawyer before deciding whether to take the test?
 Do you know a lawyer who will take your call without charge even late at night if you are arrested and asked to take the test (see back)?

**DO YOU KNOW WHAT TO DO IF YOU
ARE ARRESTED?
WOULD YOU LIKE TO KNOW THE
BEST WAY TO AVOID BEING
ARRESTED FOR DRUNK DRIVING?**

CLEVE M. JOHNSON, ATTORNEY AT LAW
(614) 299-8235
[after office hours (614) 299-8406]
www.ovilawyer.com

**AVAILABLE TO ANSWER QUESTIONS ABOUT WHETHER OR NOT TO
TAKE ROADSIDE, BREATH, OR OTHER TESTS AND TO PROVIDE LEGAL
REPRESENTATION IN DRUNK DRIVING CASES.**

Also available to answer other questions raised here. Brief telephone advice available without charge. Additional cards may be requested without charge by calling the above number.

DO I NEED A LAWYER BEFORE MY FIRST COURT DATE ON A DUI?

Do you know the sentencing pattern of the judge who will hear your case?

Can failing to talk with a lawyer before your first court hearing cause you to miss your only chance to get a different judge?

If you have priors, do you know the difference between a counseled and uncounseled plea? Do local codes ever treat prior offenses differently than state law?

Do you know all the current minimum and maximum penalties (are state and municipal charges always the same)?

Have the penalties increased since your last DUI?