

What You
Need To Know About

DUI/DWI

by

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Introduction

You see the lights of the cruiser behind you flashing, so you pull over to the side of the road after first glancing at the speedometer. You were only a mile or two over the speed limit, so why are you being stopped now? You haven't hit anything. Sure, you swerved to avoid that pothole a mile or two back, but wasn't that just common sense?

The officer gets out of the cruiser. He is walking towards your car window. He has one hand on his gun holster. What is this about!?! You'd been having fun with the guys after work, just an hour ago. You think, you try to remember. You only had two beers. That last one, that Dave bought you, that was left behind unfinished, wasn't it? You certainly don't feel drunk. Do you have any gum? No, that would look suspicious. You roll down the car window...

Every year, there are between 25,000-30,000 people arrested for DWI (Driving While Impaired) in the state of Louisiana¹. If you are one of them, you need to know the law and need to know your rights under the law. Make no mistake – if you are arrested on a DUI/DWI charge, you need immediate legal help. Do not attempt to try your own case. This book should prove the reasons why.

If you have any questions, or if you or a loved one are placed under arrest, call our office Immediately, without delay. Here is our contact information:

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¹ source: <http://www.gov.state.la.us/assets/docs/subSites/SDFSC/DWI%20in%20Louisiana.pdf>

Chapter One:

What is DUI/DWI?

According to Louisiana Law² the definition of the Driving Offense of Driving Under the Influence (DUI) or Driving While Impaired (DWI) is as follows:

- A.(1) The crime of operating a vehicle while intoxicated is the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when:
- (a) The operator is under the influence of alcoholic beverages; or
 - (b) The operator's blood alcohol concentration is 0.08 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood; or
 - (c) The operator is under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964; or
 - (d)(i) The operator is under the influence of a combination of alcohol and one or more drugs which are not controlled dangerous substances and which are legally obtainable with or without a prescription.

What this means for you in practical terms is that if your blood alcohol level is above 0.8% or if you have any of a wide range of prescription or non-prescription medications in your bloodstream, you will face an Impairment charge.

Practical Advice 1: Blood Alcohol Calculator

Caution! The following charts³ are only rough guides. Different bodies absorb and burn off alcohol over different lengths of time. If you are even close to these levels, stop drinking and wait a significant amount of time before operating a motor vehicle.

² R.S. 14:98 Operating a Vehicle While Intoxicated

³ <http://www.breathalyzeralcoholtester.com/alcohol-chart-estimation/>

Men: Approximate Blood Alcohol Percentage

Drinks	Body Weight in Pounds									
	100	120	140	160	180	200	220	240		
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.04	.03	.03	.02	.02	.02	.02	.02	.02	Impairment Begins
2	.08	.06	.05	.05	.04	.04	.03	.03	.03	Driving Skills Significantly Affected Possible Criminal Penalties
3	.11	.09	.08	.07	.06	.06	.05	.05	.05	
4	.15	.12	.11	.09	.08	.08	.07	.06	.06	
5	.19	.16	.13	.12	.11	.09	.09	.08	.08	
6	.23	.19	.16	.14	.13	.11	.10	.09	.09	Legally Intoxicated Criminal Penalties
7	.26	.22	.19	.16	.15	.13	.12	.11	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	.13	
9	.34	.28	.24	.21	.19	.17	.15	.14	.14	Possible Death
10	.38	.31	.27	.23	.21	.19	.17	.16	.16	

Subtract .01% for each 40 minutes of drinking.
One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

Women: Approximate Blood Alcohol Percentage

Drinks	Body Weight in Pounds									
	90	100	120	140	160	180	200	220		240
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Driving Skills Significantly Affected Possible Criminal Penalties
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	
5	.25	.23	.19	.16	.14	.13	.11	.10	.09	
6	.30	.27	.23	.19	.17	.15	.14	.12	.11	Legally Intoxicated Criminal Penalties
7	.35	.32	.27	.23	.20	.18	.16	.14	.13	
8	.40	.36	.30	.26	.23	.20	.18	.17	.15	
9	.45	.41	.34	.29	.26	.23	.20	.19	.17	Possible Death
10	.51	.45	.38	.32	.28	.25	.23	.21	.19	

Subtract .01% for each 40 minutes of drinking.
One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

Practical Advice 2: Drugs and Substances Causing Impairment

You only took a couple of pills to help with your hay fever, or you downed a swig of cough syrup to help with that nasty feeling in the back of your throat. What’s the harm in that? Well, quite a bit actually if any of the following ingredients and/or chemical compounds are found in that ‘harmless’ over-the-counter medicine. Consult the following list⁴ and check it against the label of your medication before operating a motor vehicle either on land or water.

Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S. 40:962, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated.

⁴ LA Rev Stat § 40:964

Schedule 1

A. Opiates.

Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, or salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, or salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide)
- (2) Acetylmethadol
- (3) Allylprodine
- (4) Alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl acetate, or LAAM)
- (5) Alphameprodine
- (6) Alphamethadol
- (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine)
- (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide)
- (9) Benzethidine
- (10) Betacetylmethadol
- (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide)
- (12) Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide)
- (13) Betameprodine
- (14) Betamethadol
- (15) Betaprodine
- (16) Clonitazene
- (17) Dextromoramide
- (18) Diampromide
- (19) Diethylthiambutene
- (20) Difenoxin
- (21) Dimenoxadol
- (22) Dimepheptanol
- (23) Dimethylthiambutene
- (24) Dioxaphetyl butyrate
- (25) Dipipanone
- (26) Ethylmethylthiambutene
- (27) Etonitazene
- (28) Etoxidine
- (29) Furethidine
- (30) Hydroxypethidine
- (31) Ketobemidone
- (32) Levomoramide
- (33) Levophenacylmorphane
- (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide)
- (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide)
- (36) Morpheridine
- (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)
- (38) Noracymethadol
- (39) Norlevorphanol
- (40) Normethadone
- (41) Norpipanone
- (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide)
- (43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)
- (44) Phenadoxone
- (45) Phenampromide
- (46) Phenomorphan
- (47) Phenoperidine
- (48) Piritramide
- (49) Proheptazine
- (50) Properidine
- (51) Propiram
- (52) Racemoramide
- (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide)
- (54) Tilidine
- (55) Trimeperidine

B. Opium derivatives.

Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine
- (2) Acetyldihydrocodeine
- (3) Benzylmorphine
- (4) Codeine methylbromide
- (5) Codeine-N-Oxide
- (6) Cyprenorphine
- (7) Desomorphine
- (8) Dihydromorphine
- (9) Drotebanol
- (10) Etorphine, except hydrochloride salt
- (11) Heroin

- (12) Hydromorphenol
- (13) Methyldesorphine
- (14) Methyldihydromorphine
- (15) Morphine methylbromide
- (16) Morphine methylsulfonate
- (17) Morphine-N-Oxide
- (18) Myrophine
- (19) Nicocodeine
- (20) Nicomorphine
- (21) Normorphine
- (22) Pholcodine
- (23) Thebacon

C. Hallucinogenic substances.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of their salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, for purposes of this Paragraph only, the term “isomer” includes the optical, position, and geometric isomers:

- (1) Alpha-ethyltryptamine
- (2) 4-bromo-2,5-dimethoxyamphetamine
- (3) 4-bromo-2,5-dimethoxyphenethylamine
- (4) 2,5-dimethoxyamphetamine
- (5) 2,5-dimethoxy-4-ethylamphetamine
- (5.1) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7)
- (6) 4-methoxyamphetamine
- (7) 5-methoxy-3,4-methylenedioxyamphetamine
- (8) 4-methyl-2,5-dimethoxyamphetamine
- (9) 3,4-methylenedioxyamphetamine
- (10) 3,4-methylenedioxymethamphetamine (MDMA)
- (11) 3,4-methylenedioxy-N-ethylamphetamine
- (12) N-hydroxy-3,4-methylenedioxyamphetamine
- (13) 3,4,5-trimethoxy amphetamine
- (13.1) Alphamethyltryptamine
- (14) Bufotenine
- (15) Diethyltryptamine
- (16) Dimethyltryptamine
- (16.1) 5-methoxy-N, N-diisopropyltryptamine
- (17) Ibogaine
- (18) Lysergic acid diethylamide
- (19) Marihuana
- (20) Mescaline

- (21) Parahexyl, also known as Synhexyl
- (22) Peyote
- (23) N-ethyl-3-piperidyl benzilate
- (24) N-methyl-3-piperidyl benzilate
- (25) Psilocybin
- (26) Psilocyn
- (27) Tetrahydrocannabinols, including synthetic equivalents and derivatives
- (28) Ethylamine analog of phencyclidine
- (29) Pyrrolidine analog of phencyclidine
- (30) Thiophene analog of phencyclidine
- (31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine

D. Depressants.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Gamma-hydroxybutyric acid (GHB)
- (2) Mecloqualone
- (3) Methaqualone

E. Stimulants.

Unless specifically excepted, or contained within a pharmaceutical product approved by the United States Federal Food and Drug Administration, or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers, esters, or ethers and salts of isomers, esters, or ethers whenever the existence of such salts, isomers, esters, or ethers and salts of isomers, esters, or ethers is possible within the specific chemical designation:

- (1) Aminorex
- (2) Cathinone
- (3) Fenethylamine
- (4) Methcathinone
- (5) (±)cis-4-methylaminorex
- (5.1) N-Benzylpiperazine (BZP)
- (6) N-ethylamphetamine
- (7) N,N-dimethylamphetamine
- (8) Naphthylpyrovalerone whether or not further

substituted in the naphthyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the naphthyl ring by one or more other univalent substituents or whether or not further substituted in the carbon chain at the 3, 4, or 5 position with an alkyl substituent.

- (9) 2-amino-1-phenyl-1-propanone (cathinone) or variation in any of the following ways:
- (i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents.
 - (ii) By substitution at the 3-position with an alkyl substituent.
 - (iii) By substitution at the nitrogen atom with alkyl, dialkyl, or benzyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

F. **Synthetic cannabinoids.**

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups, or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups:

- (1) Naphthoylindoles whether or not substituted in the indole ring to any extent or the naphthyl ring to any extent.
- (2) Naphthylmethylindoles whether or not substituted in the indole ring to any extent or the naphthyl ring to any extent.
- (3) Naphthoylpyrroles whether or not substituted in the pyrrole ring to any extent or the naphthyl ring to any extent.
- (4) Naphthylmethylindenes whether or not substituted in the indene ring to any extent or the naphthyl ring to any extent.
- (5) Phenylacetylindoles whether or not substituted in the indole ring to any extent or the phenyl ring to any extent.
- (6) Cyclohexylphenols whether or not substituted in the cyclohexyl ring to any extent or the phenyl ring to any extent.
- (7) Dibenzopyrans whether or not substituted in the cyclohexyl ring to any extent or the phenyl ring to any extent.

- (8) Benzoylindoles whether or not substituted in the indole ring to any extent or the phenyl ring to any extent.

SCHEDULE II

A. **Substances of vegetable origin or chemical synthesis.**

Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- (1) Opium and opiate, and any salt, compound, isomer, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:
 - (a) Raw opium
 - (b) Opium extracts
 - (c) Opium fluid extracts
 - (d) Powdered opium
 - (e) Granulated opium
 - (f) Tincture of opium
 - (g) Repealed by Acts 1999, No. 755, §2.
 - (h) Codeine
 - (i) Dihydroetorphine
 - (j) Ethylmorphine
 - (k) Etorphine hydrochloride
 - (l) Hydrocodone
 - (m) Hydromorphone
 - (n) Metopon
 - (o) Morphine
 - (p) Oxycodone
 - (q) Oxymorphone
 - (r) Thebaine
 - (s) Oripavine
- (2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in Paragraph (1), except that these substances shall not include the isoquinoline alkaloids of opium.
- (3) Opium poppy and poppy straw.
- (4) Coca leaves, cocaine, ecgonine and any salt, isomer, salt of an isomer, compound, derivative, or preparation of coca leaves, cocaine or ecgonine and any salt, isomer, salt of an isomer, compound, derivative, or preparation thereof

which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

- (5) Repealed by Acts 2001, No. 282, §2.
- (6) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).

B. Opiates.

Unless specifically excepted or unless listed in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrophan and levopropoxyphene excepted:

- (1) Alfentanil
- (2) Alphaprodine
- (3) Anileridine
- (4) Bezitramide
- (5) Bulk Dextropropoxyphene (non-dosage forms)
- (6) Carfentanil
- (7) Dihydrocodeine
- (8) Diphenoxylate
- (9) Fentanyl
- (10) Isomethadone
- (11) Levo-alphacetylmethadol
- (12) Levomethorphan
- (13) Levorphanol
- (14) Metazocine
- (15) Methadone
- (16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenylbutane
- (17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid
- (18) Pethidine (meperidine)
- (19) Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenyl-piperidine
- (20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate
- (21) Pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid
- (22) Phenazocine
- (23) Piminodine
- (24) Racemethorphan
- (25) Racemorphan
- (26) Remifentanil
- (27) Sufentanil
- (28) Tapentadol

C Stimulants.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers
- (2) Methamphetamine, its salts, isomers, and salts of its isomers
- (3) Phenmetrazine and its salts
- (4) Methylphenidate
- (5), (6) Repealed by Acts 1999, No. 755, §2.
- (7) Lisdexamfetamine, its salts, isomers, and salts of its isomers

D. Depressants.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Amobarbital
- (2) Glutethimide
- (3) Pentobarbital
- (4) Phencyclidine
- (5) Secobarbital

E. Immediate precursors.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Immediate precursors to amphetamine and methamphetamine: phenylacetone.
- (2) Immediate precursors to phencyclidine (PCP):
 - (a) 1-phenylcyclohexylamine;
 - (b) 1-piperidinocyclohexanecarbonitrile (PCC).

For purposes of this Subsection, possession of immediate precursors sufficient for the manufacture of phenylacetone, piperidine, or cyclohexanone shall be deemed to be possession of such a derivative substance.

F. Hallucinogenic substances:

- (1) Nabilone

SCHEDULE III

A. Stimulants.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Benzphetamine
- (2) Chlorphentermine
- (3) Clortermine
- (4) Phendimetrazine

B. Depressants.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

- (1) Any compound, mixture, or preparation containing:
 - (a) Amobarbital
 - (b) Secobarbital
 - (c) Pentobarbital or any salt thereof and one or more active medicinal ingredients which are not listed in any schedule.
- (2) Any suppository dosage form containing:
 - (a) Amobarbital
 - (b) Secobarbital
 - (c) Pentobarbital or any salt of any of these drugs and approved by the federal Food and Drug Administration for marketing only as a suppository.
- (3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt thereof, but not including butalbital when in combination with at least three hundred twenty-five milligrams of acetaminophen per dosage unit.
- (4) Chlorhexadol
- (5) Embutramide
- (6) Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, which has been approved by the federal Food and Drug Administration.
- (7) Ketamine, its salts, isomers, and salts of isomers
- (8) Lysergic acid
- (9) Lysergic acid amide
- (10) Methyprylon
- (11) Sulfondiethylmethane

- (12) Sulfonethylmethane
- (13) Sulfonmethane
- (14) Tiletamine and zolazepam or any salt thereof

C. Nalorphine

D. Limited narcotic drugs.

Unless specifically excepted or unless listed in another schedule:

- (1) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
 - (a) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit with an equal or greater quantity of an isoquinoline alkaloid of opium.
 - (b) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
 - (c) Not more than 300 milligrams of hydrocodone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.
 - (d) Not more than 300 milligrams of hydrocodone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts such as acetaminophen or ibuprofen.
 - (e) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
 - (f) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
 - (g) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
 - (h) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.
- (2) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts:
 - (a) Buprenorphine

E. Anabolic steroids and muscle building substances.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, containing any quantity of the following substances, including its salts, esters, ethers, isomers, and salts of isomers whenever the existence of such salts, esters, ethers, isomers, and salts of isomers is possible within the specific chemical designation.

The term "anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone that promote muscle growth and include the following:

- (1) 3 β ,17-dihydroxy-5 α -androstane
- (2) 3 α ,17 β -dihydroxy-5 α -androstane
- (3) 5 α -androstan-3,17-dione
- (4) 3 β ,17 β -dihydroxy-5 α -androst-1-ene
- (5) 3 α ,17 β -dihydroxy-5 α -androst-1-ene
- (6) 4-androstenediol
- (7) 5-androstenediol
- (8) 1-androstenedione
- (9) 4-androstenedione
- (10) 5-androstenedione
- (11) Bolasterone
- (12) Boldenone
 - (12.1) Boldione
- (13) Calusterone
- (14) Clostebol
- (15) Dehydrochloromethyltestosterone
 - (15.1) Desoxymethyltestosterone
- (16) Δ 1-dihydrotestosterone
- (17) 4-dihydrotestosterone
- (18) Drostanolone
- (19) Ethylestrenol
- (20) Fluoxymesterone
- (21) Formebolone
- (22) Furazebol
- (23) 13 β -ethyl-17 α -hydroxygon-4-en-3-one
- (24) 4-hydroxytestosterone
- (25) 4-hydroxy-19-nortestosterone
- (26) Mestanolone
- (27) Mesterolone
- (28) Methandienone
- (29) Methandriol
- (30) Methenolone
- (31) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane
- (32) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane
- (33) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene
- (34) 17 α -methyl-4-hydroxynandrolone
- (35) Methyldienolone
- (36) Methyltrienolone
- (37) Methyltestosterone
- (38) Mibolerone
- (39) 17 α -methyl- Δ 1-dihydrotestosterone
- (40) Nandrolone
- (41) 3 β ,17 β -dihydroxyestr-4-ene
- (42) 3 α ,17 β -dihydroxyestr-4-ene
- (43) 3 β ,17 β -dihydroxyestr-5-ene
- (44) 3 α ,17 β -dihydroxyestr-5-ene
 - (44.1) 19-nor-4, 9(10)-androstadienedione
- (45) 19-nor-4-androstenedione
- (46) 19-nor-5-androstenedione
- (47) Norbolethone
- (48) Norclostebol
- (49) Norethandrolone
- (50) Normethandrolone
- (51) Oxandrolone
- (52) Oxymesterone
- (53) Oxymetholone
- (54) Stanozolol
- (55) Stenbolone
- (56) Testolactone
- (57) Testosterone
- (58) Tetrahydrogestrinone
- (59) Trenbolone

- F.**
- (1) Except as provided in Paragraph (2) of this Subsection, the term anabolic steroid does not include a substance listed in Subsection E above but which is expressly intended for administration to livestock or other nonhuman species and which has been approved by the secretary of health and hospitals for such an administration.
 - (2) If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of Subsection E above.
 - (3) A physician, dentist, or veterinarian shall not prescribe, dispense, deliver, or administer an anabolic steroid for human use or cause an anabolic steroid to be administered under his direction or supervision for human use except for a valid medical purpose and when required by demonstrable generally accepted medical indications. Bodybuilding, muscle enhancement, or increasing muscle bulk or strength through the use of an anabolic steroid by a person who is in good health is hereby declared not a valid medical purpose.

G. Substances of vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- (1) Synthetic Dronabinol [δ -9-(trans) tetrahydrocannabinol] in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved product.

SCHEDULE IV

A. Narcotic drugs

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts, in limited quantities, as set forth below:

- (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.
- (2) Dextropropoxyphene.

B. Depressants

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alprazolam
- (2) Barbital
- (3) Bromazepam
- (4) Camazepam
- (4.1) Carisoprodol
- (5) Chloral betaine
- (6) Choral hydrate
- (7) Chlordiazepoxide, but not including chlordiazepoxide hydrochloride in combination with clidinium bromide, or chlordiazepoxide and water-soluble esterified estrogens.
- (8) Clobazam
- (9) Clonazepam
- (10) Clorazepate
- (11) Clotiazepam
- (12) Cloxazolam

- (13) Delorazepam
- (14) Diazepam
- (15) Dichloralphenazone
- (16) Estazolam
- (17) Ethchlorvynol
- (18) Ethinamate
- (19) Ethyl loflazepate
- (20) Fludiazepam
- (21) Flunitrazepam
- (22) Flurazepam
- (22.1) Fospropofol
- (23) Halazepam
- (24) Haloxazolam
- (25) Ketazolam
- (26) Loprazolam
- (27) Lorazepam
- (28) Lormetazepam
- (29) Mebutamate
- (30) Medazepam
- (31) Meprobamate
- (32) Methohexital
- (33) Methylphenobarbital (mephobarbital)
- (34) Midazolam
- (35) Nimetazepam
- (36) Nitrazepam
- (37) Nordiazepam
- (38) Oxazepam
- (39) Oxazolam
- (40) Paraldehyde
- (41) Petrichloral
- (42) Phenobarbital
- (43) Pinazepam
- (44) Prazepam
- (45) Quazepam
- (46) Temazepam
- (47) Tretrazepam
- (48) Triazolam
- (49) Zaleplon
- (50) Zolpidem
- (51) Zopiclone
- (52) Repealed by Acts 2010, No. 810, §2.

C. Fenfluramine

Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers including Fenfluramine is possible.

D. Stimulants

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers:

- (1) Cathine (norpseudoephedrine)
- (2) Diethylpropion
- (3) Fencamfamin
- (4) Fenproporex
- (5) Mazindol
- (6) Mefenorex
- (7) Modafinil
- (8) Pemoline (including organometallic complexes and chelates thereof)
- (9) Phentermine
- (10) Pipradrol
- (11) Sibutramine
- (12) SPA [(-)-1-dimethylamino-1,2-diphenylethane]

E. Other substances

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

- (1) Pentazocine
- (2) Butorphanol (including its optical isomers)

SCHEDULE V**A. Narcotic drugs containing nonnarcotic active medicinal ingredients.**

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

- (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.
- (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.
- (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulphate per dosage unit.
- (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- (6) Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

B. Narcotic drugs.

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs and their salts, as set forth below:

- (1) Repealed by Acts 2006, No. 54, §2.

C. Stimulants.

Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

- (1) Pyrovalerone

D. Depressants.

Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- (1) Pregbalin
- (2) Lacosamide

You should also use a very simple form of common sense in these matters. If a warning label suggests you not operate a motor vehicle while taking some form of medicine, obey that advice. If you have in any way ingested an illegal drug, do not get behind the wheel of a car or operate the tiller of a boat.

Chapter Two:

What are the Penalties?

The penalties for a DUI/DWI conviction are severe, and they escalate with each successive offense. Also please note that any conviction over the previous ten years can be applied in calculating the penalty for a repeat offender. This is referred to as the Lookback Period.

	1st Offense	2nd Offense	3rd Offense	4th Offense
Jail	2 days to 6 months	30 days up to 6 months	45 days up to 5 years	75 days up to 30 years
Fines and Penalties	\$1,000	\$1,000	\$2,000	\$5,000
License Suspension	90 days	1 year	2 years	2 years
Ignition Interlock Device Required	Possible	Possible	Yes	Yes

As well, depending on your age and/or occupation, there may be a lower legal limit for alcohol content in your bloodstream.

Under 21	.02%
21 or older	.08%
Commercial	.04%

Practical Advice 3: Refusing a Chemical Test

You may have friends who advise you to refuse to take a Chemical Test (either a Breathalyzer or Blood Test). While a challenge to a Chemical Test can be a defense if you are charged with DUI/DWI (q.v.) you should be aware that refusal to take a Chemical Test is itself a chargeable offense in Louisiana. If you refuse to submit to a chemical test you will be subject to a fine and automatic license suspension under Louisiana's Implied Consent Law.

	1st Offense	2d Offense	3rd Offense
Refusal to take test	6 month license revocation	6 month license revocation	2 days minimum jail term

Practical Advice 4: Other Associated Charges

It is also quite likely that besides Impairment, you may be charged with other criminal offenses under Louisiana Law. Each of these carries its own specific penalties that can be added on to those resulting from a DUI/DWI conviction. Some of these offenses are:

- Possession of an illegal substance
- Reckless Driving (including excessive speeding and/or texting while driving)
- Committing Vehicular Homicide or other vehicle-related felonies
- Having a child under age 12 in the vehicle while driving in an Impaired state

Chapter Three:

Possible Defenses

If you are charged with DUI/DWI, there are several defense strategies your attorney can use on your behalf. All of these have proven successful in the past, yet all require an experienced lawyer for them to be effective.

Practical Advice 5: Appeal Time

If you were arrested on a **DUI/DWI** charge, you only have 15 days to apply for an administrative hearing to contest the suspension of your Louisiana driver's license. Otherwise, your license will be automatically suspended and you will lose the right to drive.⁵

Were You Driving?

You can only be convicted of drunk driving if you were actually driving a vehicle at the time of the alleged DUI/DWI offense. If a police officer did not actually observe you driving (the officer approached your idling car, or before you started it) there may be a defense, based on the evidence.

What were the Arrest Procedures?

There are clear and defined procedures an arresting officer must follow in charging you with an offense, including but not exclusively the famous Miranda Rights ('You have the right to remain silent...' etc.). If these procedures are not followed, all subsequent evidence including the results of a Chemical Test may be excluded from trial.

Was there a Probable Cause?

A police officer must be able to prove there was a probable cause in order to stop your vehicle, detain you, or arrest you for drunk driving. If there is not a probable cause then your attorney may be able to omit any evidence obtained during the arrest from being admitted at the trial. If, for example, you believe you were stopped solely because of your race or ethnicity and not because of any driving behavior, your lawyer may be able to challenge the arrest.

Was there a Reasonable Explanation for Your Behavior?

A Chemical Test (Breathalyzer or blood test) can be ordered by an officer based on the behavior you showed after he pulled over your car. Did you appear to be intoxicated either visually or aurally? There are possible reasonable explanations for such behavior:

- you did not perform well on field sobriety tests because of physical impairments
- your eyes were bloodshot because of lack of sleep, allergies, or wearing contacts
- your speech is slurred because of lack of sleep or medications you take, or
- you did not perform well on field sobriety tests because the instructions were confusing.

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This driver's license suspension hearing is a separate matter from your criminal case

Challenging the Chemical Test Results

There are plausible explanations that can lead to a Chemical Test result being ruled inadmissible at trial. The following are some of the arguments your attorney may use, depending on the circumstances of your situation:

- Failure to provide necessary warnings or information
- Improper Administration of the Chemical Test
- Challenging the accuracy of the test results
- Testing during the absorption phase
- Challenging the accuracy of the test device used

Chapter Four:

Appendices

We are also including in this ebook two relevant Louisiana statutes for your further interest.

RS 15:1228.9

§1228.9. Impaired Driver Tracking System; purpose; procedure

- A. The Legislature of Louisiana finds and declares that driving under the influence of alcohol or a controlled dangerous substance presents a significant threat to the public safety and welfare to the citizens of this state. Impaired driving causes loss of life and serious bodily injury, as well as substantial property damage in every area of this state. The ability to track those persons previously arrested for an impaired driving offense will assist agencies which are involved in the investigation, prosecution, and disposition of impaired driving offenses. In order to accomplish that goal, it is in the best interest of this state to utilize the ICJIS project to coordinate an impaired driver tracking system to ensure that persons employed by the agencies involved in the investigation, prosecution, and disposition of impaired driving offenses have complete, reliable, and accurate information on every person who has committed an offense listed herein.
- B. The Integrated Criminal Justice Information System (ICJIS) Project shall contain a component for the Impaired Driver Tracking System as provided in this Section.
- C. The Impaired Driver Tracking System component of ICJIS shall be designed so as to provide accurate, complete, and reliable information regarding the arrest of each impaired driver for the offenses set forth in this Subsection and the disposition, of each impaired case, including information on prosecution, dismissal, conviction, disposition, or completion of the sentence. Notwithstanding any other provision of law to the contrary, all agencies participating in the Impaired Driver Tracking System as provided in this Section shall have access to the data collected as provided for in Subsection D of this Section concerning any of the following offenses:
- (1) R.S. 14:32.1 (vehicular homicide).
 - (2) R.S. 14:39.1 (vehicular negligent injuring).
 - (3) R.S. 14:39.2 (first degree vehicular negligent injuring).
 - (4) R.S. 14:98 (operating a vehicle while intoxicated).
 - (5) Any ordinance of a municipality, parish, or other similar political subdivision of the state, which prohibits the operation of a motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while intoxicated, while impaired, or while under the influence of alcohol, drugs, or any controlled dangerous substance.
- D.(1) Every law enforcement agency in this state, including but not limited to city police departments, sheriffs' offices, and state police shall submit the following information to the impaired driver tracking system component of ICJIS, when a person is arrested for any offense listed in Subsection C of this Section:
- (a) The law enforcement agency making the arrest shall provide sufficient information about the arrested person so that other law enforcement agencies, courts, the Department of Public Safety and Corrections, and other relevant persons or agencies can identify the person arrested, including but not limited to name, address, driver's license number, date of birth, and physical characteristics, such as eye color, hair color, and gender.
 - (b) The law enforcement agency shall also input pertinent arrest information, including date,

location of the offense, arresting officer, the violation charged, whether the person arrested submitted or refused to submit to a test to determine the presence of alcohol or drugs, the results of those tests if applicable, and any other information that the arresting officer deems necessary.

- (2) Every district attorney and prosecutor in this state shall provide information to the impaired driver tracking system component of ICJIS regarding each person who is referred for prosecution of an offense listed in Subsection C of this Section. This information shall include but is not limited to the criminal charge filed against the person, whether or not the person was required to participate in substance abuse treatment, a driver improvement program or any pretrial diversion program, whether the person completed the requirements imposed by the prosecutor or district attorney, and whether a conviction was obtained.
- (3) Every court in this state with jurisdiction over any of the offenses listed in Subsection C of this Section shall provide information to the impaired driver tracking system component of ICJIS with regard to the disposition of the charge for any offense listed in Subsection C of this Section, including but not limited to the date of arraignment, date of disposition, whether or

not the defendant was required to participate in substance abuse treatment, the final disposition of the charge, sentence or penalties imposed, probation information, any administrative sanctions imposed, such as driver's license suspensions, fines assessed, penalties for failure to complete court or administrative sanctions, and date of reinstatement.

- E. The information contained in the impaired driver tracking system shall be shared by all agencies who contribute information to it, in accordance with the provisions of the ICJIS project in order to effectively investigate, prosecute, or dispose of cases involving impaired driving. The information contained in the tracking system may also be used to generate periodic reports on the number of impaired driving offenses taking place during a specified period of time.

Acts 2004, No. 666, §1.

NOTE: Acts 2004, No. 666, §3, provides that the provisions of the Act shall become effective on the first day of the second month following promulgation of written notice from the La. State Commission on Law Enforcement and Administration of Criminal Justice of the successful completion and implementation of the ICJIS Project.

RS 14:98

3. DRIVING OFFENSES

§98. Operating a vehicle while intoxicated

A.(1) The crime of operating a vehicle while intoxicated is the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when any of the following conditions exist:

- (a) The operator is under the influence of alcoholic beverages.
- (b) The operator's blood alcohol concentration is 0.08 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood.
- (c) The operator is under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in R.S. 40:964.
- (d)(i) The operator is under the influence of a combination of alcohol and one or more

drugs that are not controlled dangerous substances and that are legally obtainable with or without a prescription.

- (ii) It shall be an affirmative defense to any charge under this Subparagraph that the label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol.
- (e)(i) The operator is under the influence of one or more drugs that are not controlled dangerous substances and that are legally obtainable with or without a prescription.
- (ii) It shall be an affirmative defense to any charge under this Subparagraph that the operator did not knowingly consume quantities of the drug or drugs that substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug.

- (2) A valid driver's license shall not be an element of the offense, and the lack thereof shall not be a defense to a prosecution for operating a vehicle while intoxicated.
- B.(1)** This Subsection shall be cited as the "Child Endangerment Law".
- (2) When the state proves, in addition to the elements of the crime as set forth in Subsection A of this Section, that a minor child twelve years of age or younger was a passenger in the motor vehicle, aircraft, watercraft, vessel, or other means of motorized conveyance at the time of the commission of the offense:
- (a) Except as provided in Subparagraphs (b) and (c) of this Paragraph, the execution of the minimum mandatory sentence provided by R.S. 14:98.1 or 98.2, as appropriate, shall not be suspended.
- (b) Notwithstanding any provision of law to the contrary, if imprisonment is imposed pursuant to the provisions of R.S. 14:98.3, the execution of the minimum mandatory sentence shall not be suspended.
- (c) Notwithstanding any provision of law to the contrary, if imprisonment is imposed pursuant to the provisions of R.S. 14:98.4, the execution of the minimum mandatory sentence shall not be suspended.
- C.(1)** For purposes of determining whether a defendant has a prior conviction for a violation of this Section, a conviction under any of the following shall constitute a prior conviction:
- (a) R.S. 14:32.1, vehicular homicide.
- (b) R.S. 14:32.8, third degree feticide.
- (c) R.S. 14:39.1, vehicular negligent injuring.
- (d) R.S. 14:39.2, first degree vehicular negligent injuring.
- (e) A law of any state or an ordinance of a municipality, town, or similar political subdivision of another state that prohibits the operation of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while intoxicated, while impaired, or while under the influence of alcohol, drugs, or any controlled dangerous substance.
- (2) The determination under this Subsection shall be made by the court as a matter of law.
- (3) For purposes of this Section, a prior conviction shall not include a conviction for an offense under this Section, a conviction for an offense under R.S. 14:39.1, or a conviction under the laws of any state or an ordinance of a municipality, town, or similar political subdivision of another state which prohibits the operation of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while intoxicated, while impaired, or while under the influence of alcohol, drugs, or any controlled dangerous substance if committed more than ten years prior to the commission of the crime for which the defendant is being tried, and such conviction shall not be considered in the assessment of penalties in this Section. However, periods of time during which the offender was awaiting trial, under an order of attachment for failure to appear, or on probation or parole for an offense described in this Paragraph, or periods of time during which an offender was incarcerated in a penal institution in this or any other state for any offense, including an offense described in Paragraph (1) of this Subsection, shall be excluded in computing the ten-year period.
- D.(1)** On a conviction of a first offense violation of the provisions of this Section, notwithstanding any other provision of law to the contrary, the offender shall be sentenced under the provisions of R.S. 14:98.1.
- (2)(a) Except as provided by Subparagraph (b) of this Paragraph, on a conviction of a second offense violation of the provisions of this Section, notwithstanding any other provision of law to the contrary and regardless of whether the second offense occurred before or after the first conviction, the offender shall be sentenced under the provisions of R.S. 14:98.2.
- (b) If the conviction of a second offense violation of the provisions of this Section when the first offense was for the crime of vehicular homicide in violation of R.S. 14:32.1, third degree feticide in violation of R.S. 14:32.8, or first degree vehicular negligent injuring in violation of R.S. 14:39.2, the offender shall be sentenced under the provisions of R.S. 14:98.2(D).
- (3) On a conviction of a third offense violation of the provisions of this Section, notwithstanding any other provision of law to the contrary and regardless of whether the offense occurred before or after an earlier conviction, the offender shall be sentenced under the provisions of R.S. 14:98.3.
- (4) On a conviction of a fourth or subsequent offense violation of the provisions of this Section, notwithstanding any other provision of law to the contrary and regardless of whether the fourth or subsequent offense occurred before or after an earlier conviction, the offender shall be sentenced under the provisions of R.S. 14:98.4.

- E. The legislature hereby finds and declares that conviction of a third or subsequent offense of operating while intoxicated is presumptive evidence of the existence of a substance abuse disorder that poses a serious threat to the health and safety of the public. Further, the legislature finds that there are successful treatment methods available for treatment of addictive disorders.
- F.(1) On a third or subsequent conviction of operating while intoxicated pursuant to this Section, in addition to any other sentence, the court shall order, upon motion of the prosecuting district attorney, that the vehicle being operated by the offender at the time of the offense be seized and impounded, and be sold at auction in the same manner and under the same conditions as executions of writs of seizure and sale as provided in Book V, Title II, Chapter 4 of the Code of Civil Procedure.
- (2) The vehicle shall be exempt from sale if it was stolen, or if the driver of the vehicle at the time of the violation was not the owner and the owner did not know that the driver was operating the vehicle while intoxicated. If this exemption is applicable, the vehicle shall not be released from impoundment until such time as towing and storage fees have been paid. In addition, the vehicle shall be exempt from sale if all towing and storage fees are paid by a valid lienholder.
- (3) If the district attorney elects to forfeit the vehicle, he shall file a written motion at least five days prior to sentencing, stating his intention to forfeit the vehicle. When the district attorney elects to forfeit the vehicle, the court shall order it forfeited.
- (4) The proceeds of the sale shall first be used to pay court costs, towing and storage costs, and the remainder shall be allocated as follows:
- (a) Sixty percent of the funds shall go to the arresting agency.
- (b) Twenty percent of the funds shall go to the prosecuting district attorney.
- (c) Twenty percent of the funds shall go to the Louisiana Property and Casualty Insurance Commission for its use in studying ways to reduce drunk driving and insurance rates.
- G.(1) If an offender placed on probation for a conviction of a violation of this Section fails to complete the required substance abuse treatment, or fails to participate in a driver improvement program, or violates any other condition of probation, including conditions of home incarceration, his probation may be revoked, and he may be ordered to serve the balance of the sentence of imprisonment, without credit for time served under home incarceration.
- (2) If the offender is found to be in violation of both the terms of his release for good behavior by the Department of Public Safety and Corrections, committee on parole, and in violation of his probation by the court, then the remaining balance of his diminution of sentence shall be served first, with the previously suspended sentence imposed by the court to run consecutively thereafter.

Amended by Acts 1991, No. 83, §1; Acts 1991, No. 454, §1; Acts 1992, No. 69, §1; Acts 1992, No. 679, §1; Acts 1992, No. 697, §1; Acts 1993, No. 247, §1, eff. June 2, 1993; Acts 1993, No. 403, §1; Acts 1993, No. 669, §1, eff. June 21, 1993; Acts 1994, 3rd Ex. Sess., No. 20, §1; Acts 1995, No. 316, §1, eff. June 16, 1995; Acts 1995, No. 520, §1; Acts 1997, No. 1296, §2, eff. July 15, 1997; Acts 1998, 1st Ex. Sess., No. 4, §1; Acts 1999, No. 1292, §1; Acts 2000, 1st Ex. Sess., No. 81, §1, eff. April 17, 2000; Acts 2000, 1st Ex. Sess., No. 139, §1; Acts 2001, No. 781, §1, eff. Sept. 30, 2003; Acts 2001, No. 1163, §2; Acts 2003, No. 535, §1; Acts 2003, No. 752, §1, eff. Sept. 30, 2003; Acts 2004, No. 762, §1; Acts 2005, No. 497, §1; Acts 2007, No. 227, §1; Acts 2008, No. 161, §1; Acts 2008, No. 451, §2, eff. June 25, 2008; Acts 2008, No. 640, §1; Acts 2010, No. 801, §1, eff. June 30, 2010; Acts 2012, No. 547, §1, eff. June 5, 2012; Acts 2012, No. 571, §1; Acts 2013, No. 388, §2, eff. June 18, 2013; Acts 2014, No. 175, §1; Acts 2014, No. 385, §1, eff. Jan. 1, 2015; Acts 2014, No. 386, §1, eff. May 30, 2014.

Final Words

We sincerely hope that we have given you the information you need in order to make an informed decision in case you face DUI or DWI charges, or any related offense. No matter what the circumstances are, you deserve a strong and vigorous defense and our office is always available to help you.

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