



The Law Office of Howard A. Brucker, LLC An Accessible Civil and Criminal Law Practice

Law Office of Howard A. Brucker DUI Overview

Most people charged with a DUI or DWI never intended their night to end like it did. Most likely they are pulled over for a minor traffic infraction.

If the officer had a lawful reason to stop vehicle, he still needs to have a reasonable belief that the driver consumed alcohol. The most common reasonable clues of intoxication are: driver told the officer they had a couple drinks, moderate to high odor of alcohol, bloodshot watery eyes, slurred speech, had a difficult time providing license or registration.

If the driver is asked to perform some field sobriety tests. The three most common tests are: the horizontal nystagmus test (eye glare), the walk and turn test and the one footed stand test. Depending on the driver's test performance, the driver may be asked to submit to a roadside breath test. This roadside test is not admissible in Court.

If the driver is arrested, the driver now must defend themselves both in criminal court and in front of the Maryland Motor Vehicles Administration.

At the police station, the driver will be asked to submit to an alcohol breath test breath test. However, this test is given by one of the station's certified experts, and will likely be admissible in Court. If the driver refuses to take the breath test, their Maryland license will be suspended in 45 days unless they get the interlock. The clock now starts ticking. So, the driver does need to consult with a lawyer quickly.

A driver who blows a .14 or less on the test, may elect to have a hearing before the MVA. A restricted license may allow them to travel to work and minimum travel instead of the interlock.

Driving Under the Influence of Alcohol conviction for a first-time offender with no mitigating factors, carries up to a year in jail and/or up to a \$1,000.00 fine. Driving under the influence of alcohol carries 60 days in jail and /or up to a \$500.00 fine.

The whole process from getting pulled over to being released can be over in a matter of hours. In the weeks between then and your court date, you should be exploring your legal options as well as documenting all your mitigation.

I understand how confusing this all can be. *Do I need a hearing? Should I get an interlock? Where do I get an interlock?*

This isn't my first one. I had one a long time ago.

Contact: 443-418-6675



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I've had some others before. I've made some mistakes.

What are my Legal Defenses if we took it trial???

I'm here to advise my clients through the MVA hearings and the Courts. Call me to schedule a free client assessment.

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