

HIGH MEANS DUI STATE LAWS SUMMARY



COLORADO (2012)

- Colorado law specifies that drivers with five nanograms of active tetrahydrocannabinol (THC) in their whole blood can be prosecuted for driving under the influence (DUI). However, no matter the level of THC, law enforcement officers base arrests on observed impairment.
- If a substance has impaired your ability to operate a motor vehicle it is illegal for you to be driving, even if that substance is prescribed or legally acquired.
- Additional charges for impaired drivers include child abuse if children are present in the vehicle.
- Colorado's open container law makes it illegal to have marijuana in the passenger area of a vehicle if it is in an open container, container with a broken seal, or if there is evidence marijuana has been consumed. It is also illegal to consume marijuana on any public roadway.
- Colorado Law Enforcement Officers are trained in the detection of impairment caused by drugs. Many Colorado Law Enforcement Officer have received advanced training in Advanced Roadside Impaired Driving Enforcement (ARIDE). Across the state of Colorado law enforcement agencies have specially trained Drug Recognition Experts (DRE) on staff that can detect impairment from a variety of substances.
- Colorado revokes driving privileges for any individual who fails to cooperate with the chemical testing process requested by an officer during the investigation of an alcohol or drug-related DUI arrest. Any driver who refuses to take a blood test will immediately be considered a high-risk driver. Consequences include: mandatory ignition interlock for two years, and level two alcohol education and therapy classes as specified by law. These penalties are administrative, and are applied regardless of a criminal conviction.
- Marijuana-impaired infractions result in administrative and criminal sanctions.
- The penalties are the same regardless of the substance, or combination of substances. However, when combining substances, there is a greater degree of impairment. This significantly increases the chances of crashes, penalties and charges.