

BANDRÉ • HUNT • SNIDER, LLC

ATTORNEYS AT LAW

What is a DUI or DWI?

Driving while intoxicated (DWI) and driving under the influence (DUI) are both traffic-related violations. A DWI or DUI citation is given to persons under the influence of alcohol, to the point of impairment, who then operate a motor vehicle. Missouri defines alcohol impairment as a blood alcohol content (BAC) of 0.08% for persons 21 years of age and old, or 0.02% for persons under 21 years of age. While both DWI and DUI citations are considered the same in Missouri, some states do recognize a difference in the two.

What is a DUID?

Additionally, Missouri drivers can be given a DUID citation, or driving under the influence of drugs. While BAC levels serve as an impairment indicator in DWI violations, impaired driving under the influence of any amount of drugs is considered a DUID. DUID citations are given to anyone operating a motor vehicle while under the influence of an intoxicating substance, including illegal drugs, prescription narcotics and even over the counter medications. DUID citations do not differentiate between a drive impaired from cold medicine or from heroin.

How does Missouri prosecute DWI/DUIs and DUIDs?

[Missouri law](#) dictates that DWI, DUI and DUID citations proceed as both a criminal case and as an administrative case. The administrative case affects your driver's license and may result in a suspension or revocation of your driving privileges. The criminal case affects your criminal record, and it may also affect your driver's license if you are convicted.

First-time offenders can face a 90-day or more license suspension, as well as the possibility of a fine or jail time if convicted in a criminal case, and a 30-day or more license suspension if convicted in an administrative case. Repeated convictions can result in 1, 5 or 10-year license revocations and denials.

If you've refused the alcohol and/or drug test requested by a law enforcement officer during a traffic stop, your driving privilege is revoked for one year.

Why should I hire an attorney for my DWI/DUI/DUID citation?

It is important to act quickly following a traffic-related citation. For administrative cases, experienced attorneys can protect your rights and ensure procedures are properly followed on time. In criminal cases, a lawyer will assist you in reviewing the evidence against you. Since the burden of proving a violation rests on the prosecution, a DWI or DUID attorney can work to suppress unlawfully obtained evidence or highlight other unconstitutional actions that may strengthen your defense.

Additionally, attorneys can work with prosecutors to attempt to negotiate any offers or pleas in your case to avoid a criminal record by taking into consideration your background and qualities as an individual. If this proves impossible, the attorney can help you present your qualities to a judge and seek leniency from the court whether or not the case is presented through a trial or a plea.

A DWI, DUI or DUID case can be very complex, and it is imperative that you seek a qualified attorney to represent you in wake of a DWI or DUI.

Bandré, Hunt and Snider is prepared to fight for your rights. [Contact us](#) today to schedule a consultation for your DWI, DUI or DUID citation.