



# **Drug & Alcohol Policy**

NORTHWOOD UNIVERSITY

Reviewed September 2021

**Table of Contents**

Drug & Alcohol Policy ..... 3

    Drug and Alcohol Prevention Counseling ..... 3

    Health Risks of Substance/Alcohol Abuse ..... 4

    Who is at Risk? ..... 5

    Self-Assessment ..... 5

    Employee Drug & Alcohol Policy ..... 6

    Laws & Policies ..... 7

    Legal Sanctions ..... 7

    State of Indiana Legal Sanctions for Violations of a Controlled Substance/Alcohol .....8

    State of Kentucky Legal Sanctions for Violations of a Controlled Substance/Alcohol..... 9

    State of Michigan Legal Sanctions for Violations of a Controlled Substance/Alcohol ..... 11

    State of Texas Legal Sanctions for Violations of a Controlled Substance/Alcohol..... 16

## **Drug & Alcohol Policy**

The Drug-Free Workplace Act was enacted into Federal law in 1988. The university recognizes its obligation to support the law and is aware of the damaging impact illegal drugs can have on our culture and especially its young people.

The Drug-Free Workplace Act of 1988, Subtitle D, Section 5152 and the Drug-Free Schools and Communities Act amendments of 1989, PL no. 101-226 requires that Northwood University maintain an environment free from the unlawful manufacture, distribution, dispensation, possession or use of controlled substances, or alcohol.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and/or alcohol is prohibited while on University property, attending Northwood events, or performing work-related duties.

Pursuant to applicable procedures, policies, or appropriate collective bargaining agreements, governing employee or student discipline, involvement in the unauthorized use or sale, manufacturing, dispensing or possession of controlled substances and/or alcohol on Northwood University premises or during Northwood University activities, or working under the influence of such substances, will be subject to disciplinary actions up to and including dismissal or expulsion.

Any employee or student who is convicted of violating any criminal drug/alcohol statute when must notify the University no later than five (5) days after such conviction. Failure to provide such a notice may subject the employee/student to termination of employment/expulsion. The employee shall notify his/her manager, who will report the incident to the Human Resources Department. Students use the table below to contact the appropriate person either by telephone or email.

- **DeVos Graduate**  
989.837.4143  
[fairbair@northwood.edu](mailto:fairbair@northwood.edu)
- **Michigan Campus**  
989.837.4398  
[cripe@northwood.edu](mailto:cripe@northwood.edu)
- **Adult Degree Programs**  
989.837.4325  
[msulliva@northwood.edu](mailto:msulliva@northwood.edu)

Northwood University supports programs aimed at the prevention of substance abuse by University employees and students. The University will provide preventative educational programs for students and refer employee/students experiencing substance-dependency-related problems for counseling and assistance.

In addition to federal, state and local laws which prohibit and control legal sanctions for violations of controlled substances and alcohol, Northwood University will impose its own sanctions for any violations occurring at the University or at University-related events.

### **Drug and Alcohol Prevention Counseling**

Northwood encourages faculty staff and students with alcohol or other drug dependency problems to contact community counseling centers for assistance. Confidential substance abuse counseling may be arranged by contacting the Human Resources Department, the Vice President of Finance, Dean of Students or our Employee Assistance Program (EAR).

Below is a list of some drug and alcohol prevention, counseling treatment and rehabilitation programs. Additional programs may be found by researching online Drug Abuse & Addiction Information or Alcohol Information and Treatment.

## **Midland County**

Northwood University - *Student Assistance*  
Campus Office in the Health Center, Miner Hall – 989.837.4312  
Northwood University *Student Services* – 989.837.4398  
*Alcoholics Anonymous* 989.698.2975  
*Community Mental Health*  
218 Fast Ice Drive, Midland 989.631.2320

## **Adult Degree Program – Indiana**

Northwood University – *Student Services* 502.261.1977  
Southwestern Indiana Alcoholics Anonymous – 812-434-4952  
123 NW 4<sup>th</sup> St #12 Evansville, IN 47708

## **Adult Degree Program – Kentucky**

Northwood University – *Student Services* 502.261.1977  
*Alcoholics Anonymous* – 502.582.1849  
322 W. Broadway Room 620 Louisville, Kentucky

## **Health Risks of Substance/Alcohol Abuse**

Drug use can start out as experimentation or casual use and can progress into problem use or addiction. Long-term research has proven that the abuse of alcohol and other drugs can erode the foundation of the University's goals and objectives and diminishes the personal attainment of intellectual, social, physical and moral growth and development.

The following provide some specific risks incurred with the use of particular common drugs or substances.

- Amphetamines. Short-term effects such as rushed, careless behavior; tolerance increases rapidly. Long term effects include physical and psychological dependence and withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition and death.
- Cocaine. Short-term effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion. Long-term effects may include damage to respiratory and immune systems; malnutrition, seizures and loss of brain function; highly addictive.
- Designer Drugs/Synthetic Cannabinoids. Short-term effects such as elevated heart rate, blood pressure and chest pain; hallucinations, seizures, violent behavior and paranoia; could lead to lack of appetite, vomiting and tremor. Long-term effects could include kidney/liver failure, increased risk of suicide and death.
- Alcohol. Short-term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior. Long term effects include risk of liver and heart damage, malnutrition, cancer and other illnesses; can be addictive to some persons. Can cause coma or death when consumed rapidly and in large amounts.
- Hallucinogens Could cause extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration and memory; increase of birth defects in user's children; overdose can cause psychosis, convulsions, coma and death.
- Opiates/Narcotics. Can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest and death. Long-term effects may lead to malnutrition, infection and hepatitis; sharing needles is a leading cause of the spread of HIV and Hepatitis; highly addictive, tolerance increases rapidly.

- Inhalants. Short-term effects can cause such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions; may lead to rapid and irregular heart rhythms, heart failure and death. Long-term effects may result in loss of feeling, hearing and vision; can result in permanent damage to the brain, heart, lungs, liver and kidneys.
- Cannabis (Marijuana). Short-term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems. Long-term effects include permanent damage to lungs, reproductive organs and brain function; can interfere with physical, psychological, social development of young users.
- Prescription Drugs (non-medical use). Allergic reaction, dependence, addiction, tolerance, psychotic episodes, risk of heart attack or stroke, or death due to overdosing.

## Who is at Risk?

The key to preventing and treating drug/alcohol abuse is to treat the underlying reasons for use. Factors putting people at higher risk for drug/alcohol use are:

- a) Family history of alcoholism or drug abuse
- b) Favorable attitudes toward use
- c) Friends who use drugs
- d) Low self-esteem & self-worth
- e) Academic or work related failures
- f) Weak intra & interpersonal skills
- g) Inadequate bonding
- h) Incest, sexual abuse victim
- i) Inadequate coping skills
- j) Stress
- k) Depression

Education and training is important in learning to help ourselves and others. Components of this education include:

- Early Detection: Understanding signs and symptoms of drug/alcohol abuse
- Intervention: Approaching someone you think has a problem
- Referral: Knowing where to get help or sending someone for help

## Self-Assessment

What are your attitudes and behaviors regarding the use of alcohol and drugs? Analyzing your attitudes in conjunction with knowing the facts about drugs is important to responsible decision making concerning your well-being. Answer the following questions to assess yourself. All questions include reference to the use of legal and illegal drugs.

1. Are you unable to stop drinking/dosing after a certain number of drinks/doses?
2. Do you need a drink/drug to get motivated?
3. Do you forget what happened while you were partying? (Blackouts)
4. Do you drink or take drugs alone?
5. Have others annoyed you by questioning you about you're drinking/drug use?
6. Have you been involved in physical violence while you were drunk/high?

7. Have you destroyed or damaged property while drinking or using drugs?
8. Do you drive while drunk or high?
9. Have you been physically hurt while under the influence of alcohol/drugs?
10. Have you been in trouble with University officials or campus security because of alcohol/drug use?
11. Have you chosen friends based upon their favorable attitudes toward drinking and drugs?
12. Do you think you are normal despite friend's comments that you drink or use drugs too much?
13. Have you ever missed work/classes because you were too hung over to get up on time?
14. Have you ever done poorly on an exam/assigned work because of drinking/drug use?
15. Do you think about drinking or getting high often?
16. Do your social activities involve drinking or the use of drugs in order for you to enjoy yourself?
17. Do you feel drinking/drug use is affecting your ability to maintain healthy, intimate relationships with a significant other?
18. Do you feel that drinking/drug use is affecting your physical health on an on-going basis including insomnia, intestinal disturbances, mental processing, etc.?
19. Do you believe you need to drink/use drugs (other than prescribed) to function at work, home or in social situations?

If you answered "yes" to three or more of these questions, or you are concerned about your use, you may be using alcohol/drugs in a way in which the quality of your life is diminished and the effects are harmful. Do not blame yourself. Ask for help. Use the resources listed above.

## **Employee Drug & Alcohol Policy**

### **Substance Abuse & Drug-Free Workplace Scope**

In 1988, the Drug-Free Workplace Act was enacted into federal law. The University recognizes its obligation to support the law and is aware of the damaging impact legal/illegal drugs can have on our culture and especially its young people.

The Drug-Free Workplace Act of 1988, Subtitle D, Section 5152 and the Drug Free Schools and Communities Act Amendments of 1989, PL No. 101-226, requires that Northwood University maintain an environment free from the unlawful manufacturing, distribution, dispensing, possession or use of controlled substances, and or alcohol.

It is the responsibility of Northwood University employees and students to familiarize themselves with the policies, regulations and procedures. Students should refer to the Student Handbook or the Dean of Students Office and employees can refer to applicable collective bargaining agreements, or the Human Resources Department/Representative for additional information. A summary of legal sanctions for the violation of controlled substances/alcohol laws and policies can be obtained from the Student Services Office or the Human Resources Department/Representative.

#### **POLICY**

- A. The manufacturing and unlawful distribution, dispensing, possession or use of a controlled substance and/or alcohol is prohibited while on University property, attending Northwood. University events, or performing work-related duties.
- B. Pursuant to applicable procedures, policies, or appropriate collective bargaining agreements, governing employee or student discipline, involvement in the unauthorized use, sale, manufacturing, dispensing or possession of controlled substances and/or alcohol on Northwood. University premises or during Northwood University activities, or working under the influence of such substances, will be subject to disciplinary action up to and including termination of employment or expulsion.

- C. Any employee or student who is convicted of violating any criminal drug/alcohol statute, must notify the University no later than five (5) days after such conviction. Failure to provide such notice may subject the employee/student to termination of employment/expulsion. The employee shall notify his/her immediate manager, who will report the incident to the Human Resources Department. The student will notify the Dean of Students.
- D. Northwood University supports programs aimed at the prevention of substance abuse by University employees and students.
- E. Legal Sanctions for Violations of Controlled Substances/Alcohol Laws & Policies – In addition to federal, state and local laws which prohibit and control legal sanctions for violations of controlled substances and alcohol, Northwood University will impose its own sanctions for any violations occurring at the University or at University-related events.
- F. Drug and Alcohol Prevention Counseling in Northwood University encourages faculty, staff and students with alcohol or other drug dependency problems to contact community counseling centers for assistance.

## **Laws & Policies**

Federal, State and local laws prohibit the possession, use, manufacturing, distribution and sales of controlled substances. Sanctions for violations of these laws can range from fine and penalties to imprisonment. There are also laws against the abuse of alcohol. Drinking and driving is the most frequent violation and can result in probation, imprisonment, and loss of driving privileges. Contribution to another's abuse of alcohol can also lead to legal sanctions.

## **Legal Sanctions**

There are legal sanctions under local ordinances, and under state and federal law for the unlawful possession, use, or distribution of illicit drugs and alcohol. A violation under state law may result in a misdemeanor or felony conviction depending on the nature of the offense, punishable by imprisonment, payment of fines, confiscation of real and personal property or a combination of the three.

It is the responsibility of Northwood employees and students to familiarize themselves with the policies, regulations and procedures. Students should refer to the Student Handbook or the Dean of Students Office and employees can refer to applicable collective bargaining agreements, the Employee Handbook, Policies & Procedures Manual or the Human Resources Office for additional information. A summary of legal sanctions for the violation of controlled substances/alcohol laws and policies can be obtained from the Student Services Office or Human Resources Representative.

**\*Disclaimer:** Below is a summary of laws by state, individuals should refer to the full text of the State law before drawing legal conclusions

## **State of Indiana Sanctions for Violations of a Controlled Substance/Alcohol**

### **OWI (Operating while intoxicated) Penalties**

Under Indiana law, it is illegal for any driver to drive with a Blood Alcohol Content (BAC) of .08 or higher. It is also illegal for anyone under 21 to operate a vehicle with a BAC of .01 or higher

### **First OWI (Class C or A Misdemeanor)**

- Fine: up to \$500 fine (up to \$5,000 if BAC 0.15 or above)
- Jail: 30 to 60 days in jail (up to 1 year if BAC 0.15 or above)

- License Suspension: 90 days to 2 years driver's license suspension (after 30 days the court may stay execution of suspension and grant probationary restricted driving privileges either with or without an ignition interlock for 180 days instead)
- Ignition Interlock: possible ignition interlock restriction for a period not to exceed the maximum term of imprisonment the court could have imposed
- Possible alcohol/drug abuse assessment and appropriate treatment
- May be required to attend a victim impact panel
- Indiana SR22 insurance requirement

### **Second OWI (Class D Felony)**

- Fine: up to \$10,000 fine
- Jail: between 5 days and 3 years in jail
- License Suspension: 180 days to 2 years driver's license suspension (probationary ignition interlock restricted driving privileges may be available after 180 days suspension)
- Ignition Interlock: possible ignition interlock restriction for a period not to exceed the maximum term of imprisonment the court could have imposed
- Mandatory 180 hours community service or restitution
- Possible alcohol/drug abuse assessment and appropriate treatment
- May be required to attend a victim impact panel
- Indiana SR22 insurance requirement

### **Third OWI (Class D Felony)**

- Fine: up to \$10,000 fine
- Jail: between 10 days and 3 years in jail
- License Suspension: 1 year to 10 years driver's license suspension
- Ignition Interlock: possible ignition interlock restriction for a period not to exceed the maximum term of imprisonment the court could have imposed
- Mandatory 360 hours community service or restitution
- alcohol/drug abuse assessment and appropriate treatment
- May be required to attend a victim impact panel
- May be declared as habitual violator (If you are charged and sentenced as a habitual substance offender, you may be imprisoned for an additional 1 to 8 years in jail)
- Indiana SR22 insurance requirement

### **Penalties for refusing to submit to a chemical test in Indiana**

It is an offense to refuse to submit to a chemical test in Indiana and implied consent laws are enforced. If the accused refuses to take a chemical test of their blood, breath or urine, their driver's license will be suspended/revoked.

In addition to any other penalty imposed, the court shall suspend the person's driving privileges:

#### **First Chemical Test Refusal**

- License Suspension: 1 year driver's license suspension
- Indiana SR22 insurance requirement

#### **Second (and subsequent) Chemical Test Refusal**

- License Suspension: 2 years driver's license suspension
- Indiana SR22 insurance requirement

### **Drug Penalties (Marijuana) Possession**

Any amount

- Penalty: Misdemeanor
- 180 days in jail



- Up to \$1,000 fine
- Less than 30g and prior drug offense
- Penalty: Misdemeanor
  - 1 year in jail
  - Up to \$5,000 fine
- 30g or more and prior drug offense
- Penalty: Felony
  - 6 months – 2 ½ years in jail
  - Up to \$10,000 fine

### Sale or Cultivation

Less than 30g

- Penalty: Misdemeanor
- 1 year in jail
- Up to \$5,000 fine

30g – less than 10lbs

- Penalty: Felony
- 6 months – 2 ½ years in jail
- Up to \$10,000 fine

10lbs or more

- Penalty: Felony
- 1-6 years in jail
- Up to \$10,000 fine

To a minor

- Penalty: Felony
- 1 – 6 years in jail
- Up to \$10,000 fine

## State of Kentucky Legal Sanctions for Violations of a Controlled Substance/Alcohol

### Driving Under the Influence (DUI) Penalties

Under Kentucky law, it is illegal for anyone to operate a vehicle with a Blood Alcohol Content (BAC) of .08 or higher. It is also illegal for anyone under 21 to operate a vehicle with a BAC of .02 or higher.

### First Conviction Penalties

- 2-30 days jail time
  - 4-30 days for an **aggravated DUI**
- \$200-\$500 fine
- 30-120 days license suspension
- 90 days of an Alcohol or Drug treatment program
- 48 hours-30 days community service

### Second Conviction Penalties

- 7 days-6 months jail time
  - 14 days-6 months for an **aggravated DUI**
- \$350-\$500 fine
- 12-18 months license suspension
- 1 year in an alcohol or drug treatment program
- 10 days-6 months community service

### Third Conviction Penalties

- 30 days-12 months jail time
  - 60 days-12 months for an **aggravated DUI**

- \$500-\$1,000 fine
- 30 Days-12 Months Jail
- 2-3 years license suspension
- 1 year in an alcohol or drug treatment program
- 10 days-1 year community service

#### **Fourth Conviction Penalties**

- Felony offense
- Minimum 120 days in jail
  - Minimum 240 days for an **aggravated DUI**
- \$500-\$1,000 fine
- 5 years license suspension

#### **Aggravated DUI Circumstances**

- Driving 30 mph over speed limit
- Driving the wrong way on limited access highway
- Causing an accident that results in injury or death
- Alcohol level .18 or more
- DUI test refusal
- Passengers under the age of 12

#### **Refusal to Submit to Chemical Testing**

- First offense
  - 30 - 120 day license revocation
  - 2 days jail time
    - 4 if aggravating circumstances are present
  - If convicted of DUI after refusing to take test, jail penalty is doubled
- Second offense
  - 1 – 1 ½ year license revocation
  - 7 days jail time
  - If convicted of DUI after refusing to take test, jail penalty is doubled
- Third offense
  - 2 - 3 years license revocation
  - 30 days jail time
  - If convicted of DUI after refusing to take test, jail penalty is doubled

#### **Drug Penalties (Marijuana)**

##### **Possession**

8 ounces or less

- Penalty: Misdemeanor
- Up to 45 days in jail
- Up to \$250 fine

##### **Sale or Trafficking**

Less than 8 ounces (First Offense)

- Penalty: Misdemeanor
- Up to 1 year in jail
- Up to \$500 fine

Less than 8 ounces (Subsequent Offenses)

- Penalty: Felony
- Up to 1-5 years in jail
- Up to \$10,000 fine

8 ounces-5 pounds

- Penalty: Felony
- 1-5 years in jail
- Up to \$10,000 fine

8 ounces-5 pounds

- Penalty: Felony
- 5-10 years in jail
- Up to \$10,000 fine

## **State of Michigan Legal Sanctions**

### **Operating While Intoxicated (OWI) Penalties**

#### **Operating With Any Presence of a Schedule 1 Drug or Cocaine (OWPD)**

Determined to have even a trace of drugs in body as a result of chemical testing

#### **Operating While Intoxicated (OWI)**

Under Michigan law, it is illegal for anyone to operate a vehicle with a Blood Alcohol Content (BAC) of .08 or higher. It is also illegal for anyone under 21 to operate a vehicle with a BAC of .02 or higher.

#### **First Offense OWI or OWPD**

- \$100-\$500 fine
- Up to 93 days in jail
- Vehicle immobilization possible
- Ignition interlock device possible
- 6 points added to driving record
- Up to 6 months of License suspension
- Driver responsibility fees
  - \$1,000 for 2 consecutive years for OWI
  - \$500 for 2 consecutive years for OWPD

#### **Second Offense OWI**

Within 7 years of first offense

- \$200-\$1,000 fine
- 5 days-1 year in jail
- 30-90 days community service
- Driver's license revocation and denial for a minimum of 1 year
  - Minimum of 5 years if there was a prior revocation within 7 years
- License plate confiscation
- Vehicle immobilization for 90-180 days
- Possible vehicle forfeiture
- Ignition interlock device
- 6 points added to driving record
- Driver responsibility fee of \$1,000 for 2 consecutive years

#### **Third Offense OWI**

Within lifetime of other offenses

- \$200-\$1,000 fine
- 30 days - 5 years imprisonment

- Probation with 30 days-1 year in jail
- 60-180 days community service
- Driver's license revocation and denial for a minimum of 1 year
  - Minimum of 5 years if there was a prior revocation within 7 years
- License plate confiscation
- Vehicle immobilization for 1-3 years
- Possible vehicle forfeiture
- Vehicle registration denial
- 6 points added to driving record
- Driver responsibility fee of \$1,000 for 2 consecutive years

### **OWI with BAC of .17 or higher**

- Up to 180 days in jail
- Up to \$700 fine
- Up to 360 hours of community service
- Driver's license suspension for 1 year
  - Eligible for restrictions after 45 days if an ignition interlock device is installed on all vehicles
- Possible license plate confiscation
- Vehicle immobilization
- 6 points added to driving record
- Driver responsibility fee of \$1,000 for 2 consecutive years

### **Operating While Visibly Impaired (OWVI)**

Ability to operate a motor vehicle was visibly impaired because of alcohol or drugs

#### **First Offense OWVI**

- Up to a \$300 fine
- Up to 93 days in jail
- Up to 360 hours of community service
- Driver's license restrictions for 90 days
  - 180 days if impaired by a controlled substance
- Possible vehicle immobilization
- 4 points added to driving record
- Driver responsibility fee of \$500 for 2 consecutive years

#### **Second Offense OWVI**

- \$200-\$1,000 fine
- 5 days-1 year in jail
- 30-90 days of community service
- Driver's license revocation and denial for a minimum of 1 year
  - Minimum of 5 years if there was a prior revocation within 7 years
- License plate confiscation
- Vehicle immobilization for 90-180 days
- Possible vehicle forfeiture
- 4 points added to driving record
- Driver responsibility fee of \$500 for 2 consecutive years

#### **Third Offense OWVI**

- \$500-\$5,000 fine
- 1-5 years imprisonment
- Probation with 30 days-1 year in jail
- 60-180 days community service
- Driver's license revocation for a minimum of 1 year

- Minimum of 5 years if there was a prior revocation within 7 years
- License plate confiscation
- Vehicle immobilization for 1-3 years
- Possible vehicle forfeiture
- Vehicle registration denial
- 4 points added to driving record
- Driver responsibility fee of \$500 for 2 consecutive years

### **First Offense: Cause of Death or Serious Injury OWI, OWVI, or OWPD**

- Death:
  - Up to 15 years imprisonment
  - \$2,500-\$10,000 fine
- Injury:
  - Up to 5 years imprisonment
  - \$1,000-\$5,000 fine
- Emergency Responder Death:
  - Up to 20 years imprisonment
  - \$2,500-\$10,000 fine
- Driver's license revocation and denial for a minimum of 1 year
  - Minimum of 5 years if there was a prior revocation within 7 years
- License plate confiscation
- Vehicle immobilization for up to 180 days
- Possible vehicle forfeiture
- 6 points added to driving record
- Driver responsibility fee of \$1,000 for 2 consecutive years
- Property damage penalty
  - \$500 fine
  - 360 hour community service
  - 93 days of imprisonment
  - 30 day suspension of driver's license followed by 150 days of license restrictions
  - 6 points on your Michigan state driving record
  - Driver Responsibility fee of \$1,000 for 2 consecutive years

### **Second Offense: Cause of Death or Serious Injury OWI, OWVI, or OWPD**

- Death:
  - Up to 15 years imprisonment
  - \$2,500-\$10,000 fine
- Injury:
  - Up to 5 years imprisonment
  - \$1,000-\$5,000 fine
- Emergency Responder Death:
  - Up to 20 years imprisonment
  - \$2,500-\$10,000 fine
- Driver's license revocation and denial for a minimum of 1 year
  - Minimum of 5 years if there was a prior revocation within 7 years
- License plate confiscation
- Vehicle immobilization for 180 days
- Vehicle forfeiture
- 6 points added to driving record
- Driver responsibility fee of \$1,000 for 2 consecutive years

### **Open Intoxicants in a Vehicle**

- Up to \$100 fine
- First offense:

- No action taken against driver's license
- Second offense:
  - Driver's license is suspended for 30 days
    - Restricted for 60 days following suspension
- Third offense:
  - Driver's license is suspended for 60 days
    - Restricted for 305 days following suspension
- Alcohol screening may be required
- Points added to driving record

### **Refusal to Submit to Chemical Testing**

Refusal to take tests

- 1<sup>st</sup> offense : 1 year license suspension
- 2<sup>nd</sup> offense : 2 year license suspension
- 3<sup>rd</sup> offense : 5 year license suspension

Preliminary Breath Test (PBT)

- \$150 fine
  - If under 21 receive adds 2 points to driving record

### **Under 21 Alcohol Laws**

#### **Zero Tolerance (Under Age 21)**

BAC of 0.02% - 0.08%

- First offense:
  - Up to \$250 fine
  - Up to 15 days of community service
  - 93 day imprisonment
  - Driver's license restricted for 30 days – 6 months
  - 4 points on driving record
  - Driver responsibility fee of \$500 for 2 consecutive years
- Second offense:
  - Up to \$500 fine
  - Up to 60 days community service
  - 5 days – 1 year in jail
  - Driver's license suspension for 90 days
    - If prior conviction, revocation and denial for a minimum of 1 year
  - 4 points added to driving record
  - Driver responsibility fee of \$500 for 2 consecutive years

#### **Person under 21 Purchase/Consume/Possess Alcohol**

- First offense:
  - \$100 fine
- Second offense:
  - \$200 fine
  - Driver's license suspended for 30 days
    - Restricted for 60 days after suspension
- Third offense:
  - \$500 fine
  - Driver's license suspended for 60 days
    - Restricted for 305 days after suspension
- Alcohol screening may be required
- Community service may be required

## **Person under 21 Transporting or Possessing Alcohol in a Motor Vehicle**

- Up to \$100 fine
- Driver's license sanctions:
  - First offense—no driver's license sanction
  - Second offense—driver's license suspension for 30 days
    - Restricted for 60 days after suspension
  - Third offense—driver's license suspension for 60 days
    - Restricted for 305 days after suspension
- Alcohol screening may be required
- Community service may be required
- Vehicle may be impounded for up to 30 days
- 2 points added to driving record

## **Using Fraudulent ID to Purchase Alcohol**

- Up to \$1000 fine
- Up to 90 days in jail
- Driver's license suspended for 90 days
- Alcohol screening may be required

## **Drug Penalties (Marijuana)**

### **Possession**

Any amount

- Penalty: Misdemeanor
- Up to 1 year in jail
- Up to \$2,000 fine

In a Park

- Penalty: Misdemeanor or Felony
- Up to 2 years in jail
- Up to \$2,000 fine

Use

- Penalty: Misdemeanor
- Up to 90 days in jail
- Up to \$100 fine

### **Sale**

Sale without remuneration

- Penalty: Misdemeanor
- Up to 1 year in jail
- Up to \$1,000 fine

Less than 5 kilograms

- Penalty: Felony
- Up to 4 years in jail
- Up to \$20,000 fine

5-45 kilograms

- Penalty: Felony
- Up to 7 years in jail
- Up to \$500,000 fine

45 kilograms or more

- Penalty: Felony
- Up to 15 years in jail
- Up to \$10,000,000 fine

### **Cultivation**

Less than 20 plants

- Penalty: Felony
- Up to 4 years in jail
- Up to \$20,000 fine

Less than 20 plants

- Penalty: Felony
- Up to 7 years in jail
- Up to \$500,000 fine

Less than 20 plants

- Penalty: Felony
- Up to 15 years in jail
- Up to \$10,000,000 fine

### **Paraphernalia**

Sale of Paraphernalia

- Penalty: Misdemeanor
- Up to 90 days in jail
- Up to \$5,000 fine

### **Miscellaneous**

Any conviction will result in a driver's license suspension for 6 months  
In Ann Arbor there will be a maximum fine of \$100