Rhinebeck High School

Alternative Information Program
(for Council on Addiction Prevention and Education program—"Teen Driving… A Family Affair")

This is a program for students who were unable to attend the program in the spring or fall and would like to be able to park this fall or early spring at the high school. Please read through the enclosed material and answer the questions at the end of the chapter. When finished return the packet to the building administrator for review. You are now eligible to take the final Test. A score of 80% allows you to obtain a Parking Pass for that school year. This will fulfill the parking requirement for that school year only. Attendance at the next available CAPE presentation is mandatory for students and at least one guardian to park on campus in the future. Materials for this alternative program were provided for by the New York State Department of Motor Vehicles.
DEFENSIVE DRIVING

Topics:

- Be Prepared and Look Ahead
- Aggressive Drivers and Road Rage
- Road Rage
- Speed
- Allowing Yourself Space
- Seat Belts, Child Safety Seats, and Air Bags
- Driving Safely in a Work Zone
- Driving Through a Roundabout
- Drowsy and Fatigued Driving
- Using a Cellular or Mobile Telephone
- Vehicle Condition

Almost all drivers consider themselves good drivers. When you gain experience and confidence, you probably will think of yourself as a good driver, too. But even the best drivers make mistakes now and then. Equipment fails, weather conditions may be bad, and you may encounter drivers who ignore traffic laws or drive unpredictably. To avoid making mistakes yourself, or being involved in a traffic crash because of someone else’s mistake, learn to drive defensively. The defensive driving rules are simple:

- Be prepared and look ahead.
- Maintain the proper speed.
- Signal before turning or changing lanes.
- Allow yourself space.
- Wear your seat belt.
- Do not drive if you are very tired, are on medication or have been drinking alcoholic beverages.
- Keep your vehicle in good operating condition.
BE PREPARED AND LOOK AHEAD

You should sit comfortably; but upright, and keep both hands on the steering wheel. Slumping in the driver's seat, or steering with one hand makes it harder to control your vehicle, and your "relaxed" position can lead to a dangerously relaxed attitude toward driving.

Traffic conditions change constantly. You cannot afford to let your attention wander from what is going on around you. Always scan the road ahead. Do not use the road or even the vehicle directly ahead as your only focal point. Look ahead so you can avoid, or lessen, potential problems.

Keep your eyes moving, notice what's happening at the sides of the road, and check behind you through your mirrors every few seconds.

Anticipate mistakes by other drivers and think about what you will do if a mistake does happen. Do not always assume that a driver approaching a STOP or YIELD sign on a side road is actually going to stop or yield. It is better to assume the other driver may not stop. Be ready to react.

Move Over Act

This law requires every operator of a motor vehicle to exercise due care to avoid colliding with an authorized emergency or hazard vehicle which is parked, stopped or standing on the shoulder or any portion of the highway with its emergency lights or one or more amber hazard lights activated. Drivers must reduce speed on all roads when encountering such vehicles, but on parkways, interstates and other controlled access roads with multiple lanes, drivers are further required to move from the lane adjacent to the emergency or hazard vehicle, unless traffic or other hazards exist to prevent doing so safely. Violations of this law are punishable as a moving violation.

AGGRESSIVE DRIVERS AND ROAD RAGE

Aggressive driving includes speeding, which often leads to following too closely, frequent or abrupt lane changes without signaling, passing on the shoulder or unpaved portions of the roadway, or harassing motorists who just happen to not get out of the way. Aggressive drivers also may run stop signs and red lights, pass stopped school buses, fail to keep right, drive while impaired by alcohol or drugs, and drive recklessly. A few threaten, or attempt to cause, physical damage to another driver. And that is how aggressive driving becomes road rage.

When confronted by an aggressive driver:

- Avoid eye contact.
- Stay calm and relaxed.
• Make every attempt to get out of the way safely. Do not escalate the situation.

• Put your pride in the back seat. Do not challenge an aggressive driver by speeding up or attempting to hold your position in your travel lane.

• Wear a seat belt and encourage your passengers to do the same.

• Ignore harassing gestures and name calling, and do not return them.

• Report aggressive drivers to the appropriate law enforcement authorities by providing a vehicle description, location, license plate number, and direction of travel.

• If you are being followed by an aggressive or threatening driver, do not stop or get out of your vehicle. Drive directly to the nearest police station.

• If an aggressive driver is involved in a crash, stop a safe distance from the crash scene. When the police arrive, report the driving behavior you witnessed.

To avoid becoming an aggressive driver:

• Allow enough travel time to reach your destination on schedule.

• Alter your schedule to avoid driving during peak highway congestion periods.

• If you're running late, call ahead so you can relax.

• Do not drive when you are angry, upset or overly tired.

• Make your vehicle comfortable. Listen to relaxing music and avoid situations that raise your anxiety.

• When driving, relax and remain aware of your posture. Sit back in your seat, loosen your grip on the steering wheel and do not clench your teeth.

• Give others the benefit of the doubt; be polite, courteous and forgiving.

• You can control your own reactions to other drivers. If someone else drives aggressively, do not retaliate.

If you have the right-of-way, do not think of it as an absolute right. Be prepared to give up the right-of-way to avoid a crash or prevent confusion. Waiting a few seconds for another driver is far better than risking a crash. Knowing you were "in the right" will not make up for the expense or pain of a collision.
ROAD RAGE

What is "road rage"? Road rage is an emotional state of anger or hostility, which escalates into violent criminal acts, or threats or attempts of violent acts, that result from the operation of a motor vehicle. Road rage may include provocative behavior intended to intimidate or harass others or instill fear in them.

Aggressive driving is not road rage. However, aggressive driving can escalate into road rage. Aggressive driving generally involves the violation of a traffic safety law, while road rage generally involves the breaking of a criminal law.

Who can become road raged? It could happen to any of us when our irritation or anger with others leads us to drive, or behave outside, our vehicle in an unsafe or hostile manner. We become a threat to ourselves, and to the safety and lives of others on and near the road or highways. Reckless endangerment, threats of violence, assault, and other violent actions are illegal. They can result in severe penalties that include fines, imprisonment and court-ordered probation, as well as revocation and suspension of driver license.

Road rage can include:

- Verbal provocations, such as yelling, cursing, excessive horn honking, rude or obscene gestures and threats.

- Driving actions, such as cutting off another vehicle, extremely close tailgating, blocking another vehicle from using a traffic lane, pursuing or chasing another vehicle, or running it off the road, deliberate ramming or bumping of another vehicle.

- Stopping a vehicle at the side of the road, and getting out of it to threaten, frighten, attack, fight or hurt another motorist or passenger, or a pedestrian, cyclist, or other person.

Recent research indicates that being in a state of rage can affect your blood pressure, and your ability to reason and make decisions. As a driver, you will make more driving errors. You will increase your chances of causing or being involved in a traffic crash.

Aggressive driving and road rage leads to revoked or suspended driver licenses, difficulties between family members and friends, loss of employment, and significant legal problems.

Many drivers do not recognize when their own aggressive driving, and their own road rage, is affecting their ability to drive safely. State law requires every DMV-approved accident prevention course to address the hazards and dangers of road rage, and how to prevent it from occurring. For information about DMV-approved accident prevention courses, see the publication Point & Insurance Reduction (C-32A), available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office. You may also contact one of the program sponsors presented in the DMV publication List of Course Sponsors (C-31), available at any state or county motor vehicle office.
SPEED

You must obey the posted speed limit, or, if no limit is posted, drive no faster than 55 mph (88 km/h). Often, it is just common sense to keep your actual speed limit well below the posted limit. For example, the legal limit on an icy or foggy expressway might be 55 mph (88 km/h), or even 65 mph (100 km/h) on some highways, but the safe speed to drive would be much lower. Even if you were to drive at 50 mph (80 km/h) on that hazardous highway, a police officer could ticket you for driving at a speed "not reasonable and prudent" for existing conditions. As with right-of-way, speed limits are not absolutes. You must adjust your speed if conditions require it.

To keep traffic flowing smoothly, some highways also have minimum speed limits. Driving slower than the minimum speed can interrupt the traffic flow and create a dangerous situation. Even if there is no minimum speed limit, those driving much slower than the posted limit can be as dangerous as driving too fast.

Be aware that some cities have speed limits lower than 55 mph (88 km/h) that may not be posted. For example, the speed limit is 30 mph (48 km/h) in New York City unless another limit is posted.

ALLOWING YOURSELF SPACE

Four of every ten crashes involve rear-end collisions, usually because someone is following too closely (tailgating). Leave enough room between your vehicle and the one ahead so you can stop safely if the other vehicle stops suddenly.

For a good "space cushion," use the two-second rule: Choose an object near or above the road ahead, such as a sign, tree or over-pass. As the vehicle ahead passes it, count aloud, slowly, "one thousand one, one thousand two." If you reach the same object before you finish counting, you are following too closely. Slow down and let the other vehicle get further ahead. In bad weather and when following large trucks, including tractor-trailers, increase the count to three at least or four seconds for extra space.
If a driver tailgates behind you, move to another lane if possible, or slow down and pull off the road if necessary, to let the driver go by you. Be sure to signal when you drive off the road and when you return to it. Do not press your brakes to warn the offending driver - this could make a difficult situation become even more dangerous.

Brake early and gently when preparing to stop or turn. It gives drivers behind you plenty of warning that you are slowing down.

Be aware of space on either side of you, too, in case you have to change lanes quickly or pull over to avoid a hazard. If possible, leave yourself some "escape" room to your left and right.

**SEAT BELTS, CHILD SAFETY SEATS, AND AIR BAGS**

No matter how carefully you drive, there is always a chance you will be involved in a traffic crash. You cannot predict when it may happen. Your best protection in most vehicles is a lap belt and shoulder harness in combination with an air bag. Some vehicles also have air bags to protect against side-impact traffic crashes.

**CORRECT**

**INCORRECT** A shoulder harness is worn across the shoulder and chest, not under the arm. Wearing the harness the wrong way could cause serious internal injuries in a crash.

*If you are wearing a seat belt, your chances are at least 50 percent less of being killed or seriously injured in a traffic crash than if you are not wearing one.*

All children under age 16 must also wear them, no matter where they ride in the vehicle. New York State law requires all children **under the age of four** to ride in safety seats. The law requires that all children **age four, five, six or seven** ride in **child restraint systems**. **If your vehicle has side impact air bags, please refer to your owner's manual for additional safety tips.** Persons 16 and older are responsible for buckling themselves up, and can be fined if they do not. If a passenger under 16 is not properly protected, the driver can be fined. The maximum fine for each seat belt violation is $50. The fine for a violation involving a person under age 16 is at least $25, and can be up to $100.

New York is a "primary enforcement" state. A law enforcement officer can stop you and issue a traffic ticket just for failure to wear a seat belt or to make sure child passengers are
properly buckled up or in safety seats. The law applies to out-of-state visitors as well as New York State residents.

New York's seat belt law applies to drivers and occupants of all vehicles except authorized emergency vehicles, taxies, liveries, buses (except for bus drivers), and 1964 and older model cars. Rural letter carriers are also exempt while delivering mail. Individuals who qualify for a medical exemption due to a physical disability which prevents seat belt use must carry a letter of exemption. This letter must be written on a physician's letterhead or prescription blank and signed by the physician. The DMV strongly recommends that medically exempted passengers ride in the back seat.

Whenever you drive, you should make sure everyone in your vehicle wears a seat belt. In the event of a crash, a person without a belt becomes a projectile, and a danger to everyone else in the vehicle. Make sure every child under age four in your vehicle is properly using an approved safety seat, and that the seat is properly installed.

We all share the financial burden of deaths and injuries due to traffic crashes. As you practice the safe driving techniques in this manual, make buckling up part of your routine - a habit as automatic as turning the key in the ignition or turning on the radio.

For added protection, adjust your vehicle's head rest, lock the doors and keep loose, heavy objects out of the passenger area. Put them in the trunk instead.

Air bags provide an extra degree of protection against injuries when used with seat belts. They are meant to work WITH seat belts, not to replace them. An air bag protects a front-seat occupant in a head-on crash by inflating upon impact and cushioning the occupant from colliding with the steering wheel, dashboard or windshield. The combination of a seat belt and an air bag offers maximum protection, partly because they help the driver maintain control of the vehicle and help avoid secondary collisions.

The air bag deploys rapidly from the steering wheel and/or dashboard. Most adults who are properly buckled up are safer in a vehicle with air bags, but the force of an air bag deploying may injure those who sit too close to it. You should sit with at least 10 inches between the center of your chest and the cover of your vehicle's air bag. Also, place your hands on the steering wheel at the 3 and 9 o'clock positions to keep them out of the way if the air bag deploys.

**IMPORTANT: NEVER PUT AN INFANT IN A REAR-FACING CHILD SAFETY SEAT IN THE FRONT SEAT OF A VEHICLE THAT HAS A PASSENGER AIR BAG.**

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**DRIVING SAFELY IN WORK ZONE**

Roadwork zones are dangerous to drive in. And to work in. That is why speeding ticket fines are doubled in work zones, even when the workers or work vehicles are not there. Expect to encounter a work zone suddenly wherever you drive - you may have to strongly slow down, or even stop. Traffic lanes may shift sideways or be completely closed. Workers and work vehicles may be on or near your driving lane. Make your work zone driving safer by knowing what to do.
Work Zone Tips:

- Some signs may suggest a detour that allows you to avoid the work zone entirely. Also, if you already know where a work zone is located ahead, you may be wise to use an alternate route.

- As you enter a work zone, signs with flashing arrow panels or that warn "lane closed ahead" mean you should merge your vehicle into the proper lane as soon as safely practical. Don't zoom to the end of the closed lane and try to force your way into the other lane. If you move to the appropriate lane at first notice, your driving is more likely to be calm, efficient, and safe.

- Slow down when a sign says to do it. If it warns: "Road Work 1,500 feet," that means your car, traveling at 60 miles per hour, will get there in just 17 seconds. Faster than that, and your safety margin is even less.

- The rear-end collision is the most common crash in a work zone. To avoid being involved in one, it helps to keep a braking distance of two seconds, or more, between you and the vehicle in front of you. (See "Allowing Yourself Space," page 65) Keep a safe distance between your vehicle and traffic barriers, trucks, construction equipment and workers.

- Some work zones are mobile - such as line painting, road patching and mowing. These zones move up or down the roadway as the work is finished. Workers may be nearby even if you do not see them immediately after the warning signs. Obey the signs until you pass the one that states you have left the work zone.
DRIVING THROUGH A ROUNDBOUT

A "roundabout" is a circular intersection with a relatively small diameter that makes drivers slow down, usually to 30 mph or less. Studies show a roundabout can reduce the number and severity of accidents at an intersection, compared to intersections controlled by stop signs or traffic signals. Modern roundabouts are widely used in Europe and Australia, and are becoming more common in New York State. More information about driving safely through a roundabout is presented on the NYS Department of Transportation internet site: https://www.dot.ny.gov/roundabouts.

Tips for driving safely through a roundabout:

- As you approach the roundabout, look for the street and direction signs you need. This will help you know which exit to take. These signs should be posted along the roadside before you reach the roundabout.

- When you arrive at the roundabout, yield the right-of-way to any pedestrians and bicyclists that also might be entering. You also must yield to any drivers already in the roundabout. Sometimes your entry point will be controlled by a stop sign or traffic signal. When the traffic level allows enough space and time, you may enter the roundabout.

- While inside the roundabout, stay in your lane until you are ready to exit. Use your vehicle's right turn signal to let the other users know what you want to do, whether you want to move from the "inside path" to the "outside path" before exiting, or already are in position to exit. Start signaling at the exit BEFORE the one you want to take. Do not change lanes or take an exit before checking for vehicles that may be continuing through the roundabout in the lane next to you or behind you. Expect vehicles to be in the "blind spots" you cannot see in your rearview mirrors. (See "Blind Spots," Chapter 11).

DROWSY AND FATIGUED DRIVING

Sleeping and driving do not mix. When you are behind the wheel of a car, being fatigued is dangerous. Drivers who are tired have slower reaction times, decreased awareness, and impaired judgment. As with drugs and alcohol, drowsiness can contribute to a traffic crash.

Symptoms of Fatigue — Researchers have found the following symptoms to be associated with drowsy driving:
- Your eyes close or go out of focus by themselves.
- You have trouble keeping your head up.
- You cannot stop yawning.
- You have wandering disconnected thoughts.
- You do not remember driving the last few miles.
- You drift between lanes, tailgate, or miss traffic signs.
- You keep jerking the car back into the lane.
- You have drifted off the road and hit the rumble strips which produce a loud noise and vibrations.

Who is Most At Risk? All Drivers who are:

- Sleep-deprived or fatigued.
- Driving long distances without rest breaks.
- Driving through the night, the early afternoon, or at other times when you are normally asleep.
- Taking medication that increases sleepiness or drinking alcohol.
- Driving alone.
- Driving on long, rural, boring roads.
- Frequent travelers, e.g., business travelers and long-distance commuters.

- Young People — Sleep related crashes are most common in young people, who tend to stay up late, sleep too little, and drive at night.

- Shift Workers — Studies suggest individuals with non-traditional work schedules have a greater risk of being involved in a fatigue-related driving traffic crash.

- People With Undiagnosed Sleep Disorders — The presence of a sleep disorder also increases the risk of crashes. If you find you are regularly tired during the day or experience any of these symptoms on a regular basis, you may have a sleep disorder and should seek medical help.

Effective Countermeasures

Prevention — Before you embark on a trip, you should:

- Get a good night’s sleep.
• Plan to drive long trips with a companion.
• Schedule regular stops, every 100 miles or 2 hours.
• Avoid alcohol and medications (over-the-counter and prescribed) that may impair performance. Check with your doctor or pharmacist about any medication you are taking. Alcohol interacts with fatigue; increasing its effects.

**Actions for the Drowsy Driver** — Once driving, you should:

• Recognize that you are in danger of falling asleep and cannot predict when sleep may occur.
• Not count on the radio, open window or other "tricks" to keep you awake.
• Respond to symptoms of fatigue by finding a safe place to stop for a break.
• Pull off into a safe area from traffic and take a brief nap (15 to 45 minutes).
• Drink coffee or another source of caffeine to promote short-term alertness if needed. (It takes about 30 minutes for caffeine to enter the bloodstream.)

You are not at your best if you are ill or very tired. Do not drive for at least 15 minutes after waking from sleep.

**NOTE:** See Chapter 9 for more information about the dangers of driving under the influence of alcohol and other drugs.

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**USING A CELLULAR OR MOBILE TELEPHONE**

A driver may become distracted from safe driving while using a mobile telephone (such as a cellular telephone) while operating a motor vehicle. In New York State, it is a traffic infraction, punishable by a fine up to $100, to speak into or listen to a hand-held mobile telephone while driving a motor vehicle. The phone may be hand-held to activate, initiate, or deactivate a call. Exemptions are provided for calls made to certain persons regarding emergency situations, for police and other law enforcement officers, and for fire department personnel and operators of authorized emergency vehicles while in the performance of their official duties. In New York State, a hands-free mobile telephone allows the user to communicate without the use of either hand. A driver may use a hands-free telephone at any time.

**Using Electronic Devices for Texting**

In New York State, it is illegal to use portable electronic devices, such as cell phones and smart phones, to send text messages or e-mails while driving. The penalty for a violation of this law is a fine of up to $150. It is a secondary law, which means that for a person to be ticketed for the offense, the driver must have committed a primary enforcement offense such as speeding, disobeying a traffic signal or other violation.
VEHICLE CONDITION

Vehicles must be inspected at least once a year, but that does not mean it is the only time you should have safety equipment checked. Follow your owner's manual for routine maintenance and have any problems that arise corrected by a qualified mechanic as soon as possible. Do not wait until mechanical problems result in breakdowns or traffic crashes.

Pay special attention to the maintenance and repair of the brakes, steering mechanism, lights, tires and horn. Rely on your owner's manual and a knowledgeable mechanic as your guides to a safe, smooth-running vehicle.

Here are some common problems and some quick equipment checks you can do yourself:

- **BRAKES** - Brakes that pull to one side may be wet, or may need to be adjusted or repaired. If wet, you can dry them by riding lightly on the pedal. If this does not help, have your brakes checked by a mechanic. If you notice any change in the performance of your brakes, have them checked right away.

- **STEERING** - There should not be too much "play" in the steering wheel. If you have power steering, check the fluid level periodically. A whining noise when you make a sharp turn can be a sign of trouble.

- **LIGHTS** - Keep your lights clean and clear of dirt, snow and ice. Broken lenses can cause dangerous glare for other drivers, so have them replaced as soon as possible. Make sure your headlights are adjusted properly to give you the best view of the road and to avoid blinding approaching drivers.

- **TIRES** - The law requires that your vehicle's tires have at least 2/32nds of an inch (.16 cm) of tread. You can check tread depth with a penny. Place it upside down in the tread. If the top of Lincoln's head shows, the tires are too worn and should be replaced. It is also illegal to drive with tires that have cuts down to the cords, knots bumps or bulges. Consult your owner's manual or a tire store about proper tire pressure, and check their pressure often with a reliable gauge.

- **GLASS** - Keep your windows clean and clear all the way around. Replace wiper blades that streak, keep your defroster and rear window defogger in good working condition, and make sure you have enough windshield washing fluid.

- **HORN** - Your vehicle's horn may not seem to be an important safety equipment, but it could easily become your only way to warn other drivers or pedestrians of possible trouble. If the horn is not working, get it repaired as soon as possible. And remember, a horn is used as a warning to others. It should not be used unnecessarily or to express your anger at other drivers or pedestrians.
Please Answer these Questions in complete sentences.

- Should you always look straight ahead when driving?

- If there is no posted speed limit, what is the fastest you may legally drive in New York State?

- Is it always safe to drive at the posted speed limit?

- What is the purpose of minimum speed limits?

- Who must wear seat belts? Who should wear them?

- How can you prevent fatigue on a long trip?

- What is road rage? How can you avoid becoming involved in road rage?

- How should you drive safely through a work zone? A roundabout?
Alcohol and Other Drugs

Topics:

- What Alcohol Does
- Other Drugs
- Alcohol, Drugs and the Law
- Your BAC
- Chemical Tests
- The Consequences
- A Few Important Reminders
- Avoiding Trouble
- Practice Quiz

You have probably heard the facts before - driving while impaired or intoxicated is a serious traffic safety problem in the United States. In New York State, more than 20 percent of all highway deaths involve the use of alcohol or other drugs. But, the facts and statistics do not tell the whole story. Behind the numbers are thousands of lives cut short, permanent or disabling injuries, and families devastated because someone drove while under the influence of alcohol or other drugs.

After you drink alcohol or take other drugs, safe driving is simply not possible. Not every impaired or intoxicated driver causes a traffic crash, but each one is dangerous, risking his or her life and the lives of those sharing the road.

Young people, who have less experience with both alcohol and driving, are at greatest risk. Drivers under 21 years old represent about 5 percent of the driving population, but 15 percent of the drivers involved in alcohol or drug-related fatalities. This is one reason the license revocation penalties are more severe for young drivers under the influence of alcohol or other drugs.

Because driving "under the influence" is so dangerous, the penalties for alcohol or drug-related violations are very tough and enforcement by police is a priority. Your chances of being caught and convicted are very high, and New York State law does not allow you to plea bargain to an offense not related to alcohol or drugs.

WHAT ALCOHOL DOES

Alcohol slows your reflexes and reaction time, reduces your ability to see clearly, distorts your judgment of speed and distances, often reduces your inhibitions from taking chances,
and makes you less alert. The important physical and mental skills you need to drive safely are weakened.

Because your vision is already restricted at night, driving after drinking is especially dangerous after dark. In addition to its other effects, alcohol reduces your ability to recover from headlight glare. When another vehicle approaches, you can be blinded by its headlights for a dangerously long period of time.

You do not have to look or feel drunk for these things to happen. The effects of alcohol can begin long before you become intoxicated or even legally impaired and begin with the first drink.

As alcohol limits your physical ability to drive, it also makes you less aware of what is happening to your safe driving abilities. It becomes difficult for you to judge your own condition. You may actually feel more confident about driving, when you should not be driving at all.

During each mile you drive, you literally make hundreds of decisions. You turn those decisions into actions that keep your vehicle under control and keep you from getting into traffic crashes. Alcohol makes it hard to make correct decisions and to take the safest actions.

For example: You have just stopped at a STOP sign. You see another vehicle approaching the intersection. You must quickly make a decision whether it is safe to go through the intersection. Under the influence of alcohol, you are more likely to make a wrong decision and "take a chance." Your slower reaction time, coupled with the poor decision, could mean real trouble. It could lead to a crash that should never have happened.

**OTHER DRUGS**

Drugs other than alcohol, including many prescription and over-the-counter medications, can affect your driving ability. They can have effects similar to alcohol or even worse. If you are taking medication, even a non-prescription allergy or cold remedy, check the label for warnings about its effects. If you're not sure, ask your doctor or pharmacist about driving after taking the medication.

Never drink alcohol while you are taking other drugs. It could be dangerous, often multiplying the effects of the alcohol and the other drug. For example, taking one drink when you are also using an allergy or cold remedy could affect you as much as several drinks.

It can be a criminal offense to drive while impaired by the combined effect of drugs or alcohol and drugs, illegal drugs such as marijuana, cocaine, LSD, heroin and opium, and by some prescription drugs such as tranquilizers. Drugs can affect your reflexes, judgment, vision and alertness in ways similar to alcohol, and they may have other dangerous effects.

**Combining alcohol with other drugs severely reduces your driving abilities and can cause serious health problems, including death.**
ALCOHOL, DRUGS AND THE LAW

In New York State, you may be arrested for any of these offenses: aggravated driving while intoxicated (Agg-DWI), driving while intoxicated (DWI), driving with a blood alcohol content of .08 percent or more (.08 BAC), driving while ability impaired by a drug (DWAI-drug), driving while ability impaired by alcohol (DWAI), or driving under the combined influence of alcohol and drugs.

Blood alcohol content (BAC) is the percentage of alcohol in your blood and is usually determined by a chemical test of breath, blood, urine or saliva. A BAC of more than .05 percent is legal evidence that you are impaired, a BAC of .08 percent or higher is evidence of intoxication, and a BAC of .18 percent or more is evidence of aggravated driving while intoxicated.

Many people think chemical test evidence is required to prove you were Intoxicated or impaired. However, a police officer's testimony about your driving, appearance, and behavior when arrested can provide enough evidence alone to convict you, even without a chemical test.

If you are found guilty of any alcohol or drug-related driving violation, the court must revoke or suspend your license at the time you are sentenced. Even if the court allows you a 20-day continuation of driving privilege, your license itself will be taken immediately.

The BAC standards and penalties for commercial drivers are even more strict than those indicated in this chapter. For complete information, see Section 1 of the Commercial Driver's Manual (CDL-10).

YOUR BAC

Your blood alcohol content (BAC) primarily depends on:

- How much alcohol you drink.
- How much time passes between drinks.
- Your weight.

Your BAC does not depend on what kind of alcoholic beverage you drink, how physically fit you are, or how well you can "hold your liquor."

Different types of drinks do not affect you differently. It is the amount of alcohol you consume, not whether it is in beer, wine or wine cooler, or liquor, that raises your BAC and lowers your driving ability. These drinks contain about the same amount of alcohol - 1½ ounces of liquor, 5 ounces of wine, 12 ounces of beer, and 12 ounces of wine cooler. None is "safer to drink" than the others.
For a male weighing 150 pounds, each one of these drinks would contain enough alcohol to increase his BAC by about .02 percent. On average, it takes the human body about one hour to dispose of that much alcohol. However, studies suggest that a woman’s body may process and remove alcohol from the blood more slowly than a man’s does. This may result in a higher BAC over a longer period of time.

Compared to the 150-pound male described above, your own body weight can make some difference in the BAC and the effects of alcohol. But no one is immune to the effects of alcohol. It is a simple fact: the more you drink in a given period of time, the higher your BAC will be, and the less safe your driving will be.

It takes only a few drinks to raise your BAC to levels at which it is illegal to drive. And remember, the effects of alcohol on your driving ability actually begin at even lower BAC levels after just one drink.

Eating before or while you drink helps slow down alcohol absorption somewhat, but it cannot prevent you from becoming impaired or intoxicated if you have too many drinks.

The only way to effectively reduce your BAC is to spend time without drinking. Coffee, exercise and cold showers cannot reduce your BAC and the effects of alcohol. They might help you stay awake, but it cannot affect your BAC or make you sober.
**CHEMICAL TESTS**

Chemical tests, such as the "breathalyzer," measure a person's BAC. If you are arrested for an alcohol or drug-related violation, the police officer will almost surely request that you submit to a chemical test. Under New York's "Implied Consent" law, by driving a car in this state you are considered to have already given your consent to take such a test.

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### PENALTIES FOR ALCOHOL / DRUG RELATED VIOLATIONS

**AGGRAVATED DRIVING WHILE INTOXICATED**  
**AGG-DWI (0.18 and higher Blood Alcohol Content [BAC])**

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<thead>
<tr>
<th>CONVICTION</th>
<th>FINE ONLY</th>
<th>JAIL SENTENCE</th>
<th>LICENSE ACTION ** AND REQUIREMENTS</th>
</tr>
</thead>
</table>
| 1st Offense (Misdemeanor)        | Minimum $1,000  
Maximum $2,500 | Up to 1 year            | Minimum 1-Year Revocation |
| 2nd Offense  (Class E Felony)    | Minimum $1,000  
Maximum $5,000 | Up to 4 years; minimum 5 days jail  
or 30 days of community service | Minimum 18-Month Revocation |

**DRIVING WHILE INTOXICATED OR**  
**DRIVING WHILE ABILITY IMPAIRED BY A DRUG**  
**DUI (.08 and higher Blood Alcohol Content [BAC]) and DWAI-Drug**

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<tr>
<th>CONVICTION</th>
<th>FINE ONLY</th>
<th>JAIL SENTENCE</th>
<th>LICENSE ACTION ** AND REQUIREMENTS</th>
</tr>
</thead>
</table>
| 1st Offense (Misdemeanor)        | Minimum $500  
Maximum $1,000 | Up to 1 year            | Minimum 6-Month Revocation |
| 2nd Offense  (Class E Felony)    | Minimum $1,000  
Maximum $5,000 | Up to 4 years; minimum 5 days jail  
or 30 days of community service | Minimum 1-Year Revocation |
<table>
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</tr>
</thead>
</table>
| 1st Offense (Misdemeanor)  | Minimum $500
Maximum $1,000 | Up to 1 year  | Minimum 6-Month Revocation      |
| 2nd Offense (Class E Felony Within 10 Years) | Minimum $1,000
Maximum $5,000 | Up to 4 years  | Minimum 1-Year Revocation       |

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<tr>
<th>CONVICTION</th>
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<th>JAIL SENTENCE</th>
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</tr>
</thead>
</table>
| 1st Offense (Traffic Infraction) | Minimum $300
Maximum $500 | Up to 15 days  | 90-day Suspension               |
| 2nd Offense Within 5 years (Traffic Infraction) | Minimum $500
Maximum $750 | Up to 30 days  | Minimum 6-Month Revocation      |

**NOTE:** Higher fines, longer jail sentences, and increased license penalties (including lifetime revocation) may result from a third or subsequent conviction within 10 years.

* Conviction fine only, does not include mandatory surcharge or crime victims assistance fee.

** The Department of Motor Vehicles determines when your license can be returned. Its return or reinstatement based on state law or regulation, is not automatic. You must reapply for your license and may have to pass a test.

Chemical test refusal is a separate issue from whether or not you were guilty of an alcohol or drug-related violation. If you refuse to take the test after being arrested, your license will be suspended when you are arraigned in court on the alcohol or other drug-related charge. Also, the fact that you refused a chemical test may be introduced in court when you are tried on the alcohol or drug-related charge. If a DMV hearing later confirms you did refuse the test, your license will be revoked even if you are found not guilty of the alcohol or other drug-related violation. For information on license revocations and civil penalties for chemical test refusals, see Alcohol and Drug Driving Violations.
THE CONSEQUENCES

The table "Penalties for Alcohol/Drug Related Violations" summarizes the fines, surcharges, license penalties and possible imprisonment you would face if convicted of an alcohol or drug-related violation. In addition to these penalties, impaired or intoxicated driving can carry other serious consequences.

Zero Tolerance for Drivers Under 21

The legal purchase and possession age for alcoholic beverages in New York State is 21. Under the state's "zero tolerance" law, it is a violation for a person under age 21 to drive with any measurable BAC (.02 to .07). After a finding of violation is determined at a DMV hearing, the driver's license will be suspended for six months. The driver will then have to pay a $100 suspension termination fee and a $125 civil penalty to be re-licensed. For a second Zero Tolerance violation, the driver's license will be revoked for at least one year or until the driver reaches age 21, whichever is longer.

Illegal Purchase Of Alcoholic Beverages

If you illegally purchase alcoholic beverages by using a driver license or Non-Drivers ID card as proof of age, state law requires the suspension of your driver license or privilege to apply for a license.

Open Container Law

It is a traffic infraction for a driver or passenger in a motor vehicle on a public highway, street or road, to drink an alcoholic beverage, or to possess an alcoholic beverage with the intent of drinking it. The penalty for a first conviction is a fine up to $150, a mandatory surcharge, a crime victim assistance fee, potential imprisonment up to 15 days, and a possible two points assessed against the driver's license record. Additional offenses within 18-months bring higher penalties. The law exempts passengers in vehicles such as stretch limousines, and other vehicles, that display a commerce certificate or permit issued by the U.S. Department Of Transportation or the NYS Department Of Transportation.

The Ignition Interlock Program

A judge may order an ignition interlock device as a condition of probation in relation to certain alcohol-related offenses. For an Aggravated-DWI offense or any repeat alcohol or drug offense within five years, a judge is required to order the system to be installed on each vehicle owned and operated by the motorist during both the revocation period and any probation period that follows. The judge also must order an alcohol assessment for the repeat offender. If the assessment indicates the need for alcohol treatment, the judge may be required to order completion of the treatment as a condition of probation.

This device, purchased and installed at the expense of the motorist, is connected to a motor vehicle ignition system and measures the alcohol content of the operator's breath. As a result, the vehicle cannot be started until the driver provides an acceptable sample breath. While using the interlock device, the motorist may be eligible to hold a conditional license. This license will be revoked if the motorist fails to comply with the court's terms, or for conviction of any traffic offense other than parking, stopping or standing.
Leandra’s Law

This law sets some of the toughest DWI provisions in the country. Under Leandra’s Law, first-time offenders driving while intoxicated or impaired by drugs with a child less than 16 years old in the vehicle may be charged with a class E felony, punishable by up to four years in State prison. Courts must order all drivers convicted of driving while intoxicated or aggravated driving while intoxicated to install and maintain an ignition interlock on any vehicle owned and operated by such driver for at least six months. Drivers who drive while intoxicated or impaired by drugs and cause the death of a child less than 16 years of age in the vehicle may be charged with a Class B felony, punishable by up to 25 years in State prison. Drivers who drive while intoxicated or impaired by drugs and cause serious physical injury to a child less than 16 years of age in the vehicle may be charged with the Class C felony, punishable by up to 15 years in State prison.

A FEW IMPORTANT REMINDERS

- If you kill or seriously injure another person because of an alcohol or other drug-related violation, you can be convicted of criminally negligent homicide, vehicular manslaughter, or assault, carrying a fine of thousands of dollars and a jail term of up to 15 years.

- If you are convicted of two DWI and/or DWAI-drug violations, both resulting in physical injury traffic crashes, your license will be revoked permanently.

- If you drive while your license is suspended or revoked, you face a mandatory fine of $200 to $1000, and a mandatory jail term or probation. If impaired or intoxicated at the time of arrest, the maximum mandatory fine is $5,000, and the vehicle may be seized and forfeited.

- Liability insurance may not cover the cost of injuries and damage from a traffic crash. You could be sued for thousands of dollars. You’d also find it difficult and expensive to buy liability insurance for several years.

- In addition to fines and surcharges, you could also face very expensive legal fees.

- You could have a criminal record, making it more difficult to get a job or advance your career.

AVOIDING TROUBLE

Alcohol and other drugs give you a false sense of confidence. You are not likely to worry about the consequences while you already are impaired or intoxicated. The time to consider them, and how to avoid them, is before you are under the influence.
• If you regularly go to social events with the same group of friends, rotate drivers. Each friend takes a turn being the "designated driver" who does not drink alcohol.

• Arrange to stay overnight or ride home with a friend who does not drink. Make plans ahead of time, before you start drinking.

• Before you begin drinking, give your car keys to a friend who does not drink and who will not let you drive after drinking.

• Call a cab or use public transportation.
• Choose beverages with lower alcohol content, such as low-alcohol beers and wines.

• Drink slowly. Alternate between drinks with alcohol and drinks without any alcohol.

• Do not make alcohol the centerpiece of your social event. Conversation, games and recreation are the best reasons to get together with friends.

• Eat a good meal before you drink, and have snacks while you drink.

• If you've had too much alcohol to drink, stop drinking several hours before you intend to leave so your body can begin lowering your BAC.

• Listen to your friends. Accept their help. If they warn you about not driving, take their concern seriously. Do not laugh it off or become angry.

QUESTIONS

Please Answer these questions in complete sentences.

• How does drunken driving rank as a highway safety problem?

• What are the effects of alcohol on the skills you need to drive?

• Which of these drugs could affect your driving ability: marijuana, a cold remedy, a tranquilizer?
• If you are taking a non-prescription drug, what should you do before driving?

• What is a likely effect of taking another drug while drinking alcoholic beverages?

• On what three factors does your blood alcohol content (BAC) depend?

• Which of these contains more alcohol than the other two: 1½ ounces (30 ml) of 80 proof liquor, five ounces (120 ml) wine, 12 ounces (360 ml) of beer, 12 ounces (360 ml) of wine-cooler?

• On average, how long does it take your body to dispose of the alcohol contained in 12 ounces of beer?

• What is the only effective way to reduce your BAC?

• What happens to your driver's license if you refuse a chemical test?

• Other than fines, action against your license and a possible jail term, what are some of the consequences of driving under the influence of alcohol or other drugs?

You are now ready to take the final test for your parking permit!!