

D.U.I.

DUI charges in Canada are commonly referred to as Impaired Driving or Drive Over .08. Often a charge alone attracts an automatic 90 day suspension. A guilty finding and conviction for these charges often leads to a driving prohibition of 12 months and may also involve fines and jail. Provincial Traffic laws also impose severe licence suspensions, restrictions and requirements to regain licence privileges with such restrictions following into many states in the USA. Second and third convictions can result in 3 year to lifetime suspensions. In all of North America, Ontario presents the most severe penalties for impaired driving.

There are defences provided in the Criminal Code to DUI charges which include "evidence to the contrary". Breath testing purports to provide a determination of alcohol in a person's blood. However, such testing is not without frailties and problems since what occurs is essentially an analysis of the alcohol in the lung air of a person that is then converted based on a number of scientific assumptions. We have provided a factual guideline to follow and complete for our clients which makes the assessment of a case quicker and more effective in determining what defences might be available and the best course of action to be taken.

For case specific information or to schedule a consultation, please contact Mike McArthur.

For more information, see [Areas of Practice > Criminal Law](#).