

The new act took effect on July 1, 2019

## Do you know the new drunk driving act?

- ▶ Breath Alcohol Concentration exceeds 0.15mg/L
- ▶ Blood Alcohol Concentration is above 0.03%

Riding a motorcycle or driving a car under the following condition is considered as drunk driving!

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### First-time offender (New act on drunk driving in 2019)

 <p>Drunk drivers on a car First-time offender</p> <p>A fine of NT\$30,000~120,000</p>	 <p>Drunk drivers on a motorcycle First-time offender</p> <p>A fine of NT\$15,000~90,000</p>
<p><b>Common punishment</b></p> <ol style="list-style-type: none"> <li>1. Remove and keep your car or motorcycle</li> <li>2. Suspension of driver's license for 1 to 2 years</li> <li>3. Mandatory road safety training for drunk driving violations</li> </ol> <p><b>Hike in penalty</b></p> <ul style="list-style-type: none"> <li>▶ Children under the age of 12 on the vehicle or causing injury: 2 to 4 years of license suspension</li> <li>▶ Causing serious injury or death: Driver's license revoked and not allowed to reapply</li> </ul>	

First-time offender (New act on drunk driving in 2019)

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A fine of NT\$30,000~120,000

Drunk drivers on a motorcycle  
First-time offender  
A fine of NT\$15,000~90,000

Common punishment  
Remove and keep your car or motorcycle  
Suspension of driver's license for 1 to 2 years  
Mandatory road safety training for drunk driving violations

Hike in penalty  
Children under the age of 12 on the vehicle or causing injury: 2 to 4 years of license suspension  
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**Recidivist drink-driver**  
(New act on drunk driving in 2019)

 <p>Drunk drivers on a car For the second time in five years</p> <p><b>A fine of NT\$120,000</b></p> <p>When the vehicle for the second violation is a car</p>	 <p>Drunk drivers on a motorcycle For the second time in five years</p> <p><b>A fine of NT\$90,000</b></p> <p>When the vehicle for the second violation is a motorcycle</p>
<p>For the third time or more within 5 years, the fine shall be the previous penalty plus NT\$90,000 (cumulative without upper limit)</p> <p>Example: If the previous offense is on a car: NT\$120,000+NT\$90,000 If the previous offense is on a motorcycle: NT\$90,000+NT\$90,000</p>	
<p>Common punishment</p> <ol style="list-style-type: none"><li>1. Remove and keep your car or motorcycle</li><li>2. Suspension of driver's license (not eligible for reapplication within 3 years)</li><li>3. Mandatory road safety training for drunk driving violations</li></ol>	<p><b>Hike in penalty</b></p> <ul style="list-style-type: none"><li>▶ Causing serious injury or death: Suspension of driver's license, not eligible for reapplication, and confiscation of vehicle</li></ul>

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For the second time in five years  
A fine of NT\$120,000  
When the vehicle for the second violation is a car

Drunk drivers on a motorcycle  
For the second time in five years  
A fine of NT\$90,000  
When the vehicle for the second violation is a motorcycle

For the third time or more within 5 years, the fine shall be the previous penalty plus NT\$90,000 (cumulative without upper limit)

Example:

If the previous offense is on a car: NT\$120,000+NT\$90,000

If the previous offense is on a motorcycle: NT\$90,000+NT\$90,000

Common punishment

Remove and keep your car or motorcycle

Suspension of driver's license (not eligible for reapplication within 3 years)

Mandatory road safety training for drunk driving violations

Hike in penalty

Causing serious injury or death: Suspension of driver's license, not eligible for reapplication, and confiscation of vehicle

**Drunk driving in the Criminal Code**  
(New act on drunk driving in 2019)

**First-time offense:** DWI or having a breath alcohol concentration that exceeds 0.25mg/L

- Imprisonment of not more than 2 years and fine of not more than NT\$200,000
- Causing serious injury: Imprisonment of more than 1 year and less than 7 years
- Causing death: Imprisonment of not less than 3 years and not more than 10 years

**Reoffend in 5 years:** DWI or having a Breath Alcohol Concentration that exceeds 0.25mg/L

- Imprisonment of not more than 2 years and fine of not more than NT\$200,000
- Causing serious injury: Imprisonment of more than 3 year and less than 10 years
- Causing death: Life imprisonment or imprisonment of more than 5 years

The infographic includes illustrations of a person in prison, a person with a head injury, and a crashed car with ghostly figures.

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# Refusing a field sobriety test

(New act on drunk driving in 2019)

Refusing a field sobriety test: Not accepting inspections or rejecting wine inspections



First-time offender



Recidivist

A fine of NT\$180,000

For the second time or more within 5 years, the fine shall be the previous penalty plus NT\$180,000 (cumulative without upper limit)

Example: The second offense NT\$180,000+ NT\$180,000= NT\$360,000  
The third offense NT\$360,000+ NT\$180,000= NT\$540,000

## Common punishment

1. Remove and keep your car or motorcycle
2. Suspension of driver's license (not eligible for reapplication within 3 years)
3. Mandatory road safety training for drunk driving violations

### Hike in penalty

- ▶ Causing serious injury or death: Suspension of driver's license, not eligible for reapplication, and confiscation of vehicle

## Common punishment

1. Remove and keep the car or motorcycle
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- ▶ Causing serious injury or death: Suspension of driver's license, not eligible for reapplication, and confiscation of vehicle

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The third offense NT\$180,000+ NT\$180,000= NT\$360,000

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- Causing serious injury or death: Suspension of driver's license, not eligible for reapplication, and confiscation of vehicle

## Collective punishment (New act on drunk driving in 2019)



If the driver has a breath alcohol concentration of **0.25mg/l** or above or a blood alcohol concentration of **0.05%** or above, the passengers in the same vehicle will face a penalty of **NT\$600 to NT\$3,000**.

Passengers exempted from punishment:  
Persons under the age of 18, over the age of 70, mentally handicapped, and in the case of commercial driving (e.g. highway bus, city bus, taxi).

## Punitive damages (New act on drunk driving in 2019)



Commercial drivers who DUI or refuse the sobriety test and cause damage to others



The court may, depending on the degree of victimization, award the motor carrier three times the amount of damages.

### Disclaimer

▶ The motor carrier shall not be liable for compensation when it has fulfilled its duty to supervise the employed driver.



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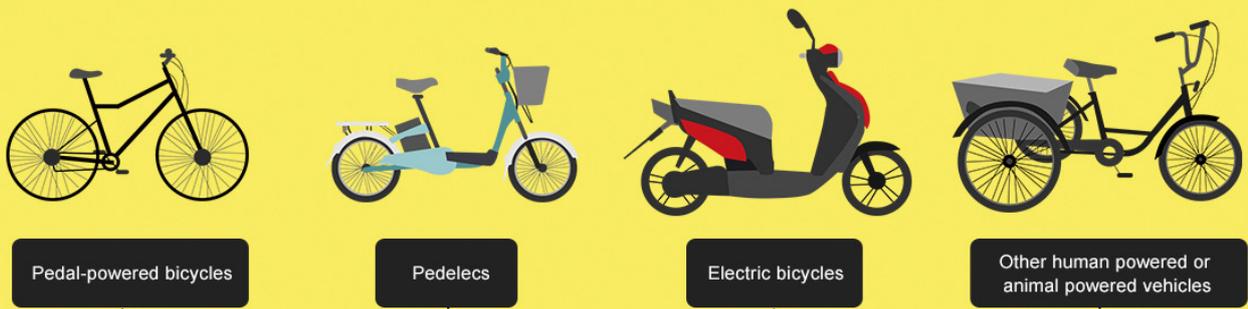
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**Drunk driving and sobriety test refusal rules for slow-moving vehicle driver  
(New act on drunk driving in 2019)**



Slow-moving vehicle drivers will be fined for drunk driving and test refusal

The fine for drunk driving is NT\$600~1,200

The fine for sobriety test refusal is NT\$2,400

Drunk driving and sobriety test refusal rules for slow-moving vehicle driver (New act on drunk driving in 2019)

Pedal-powered bicycles

Pedelecs

Electric bicycles

Other human powered or animal powered vehicles

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The fine for drunk driving is NT\$600~1,200

The fine for sobriety test refusal is NT\$2,400

## Ignition Interlock Device (IID) system will be in place by March 2020



### If a driver loses his/her license for drunk driving...

1. To apply for a driving license, he/she must first complete the education on drunk driving prevention or alcohol addiction treatment
2. Driving a vehicle with an IID for a certain period of time after obtaining a license

If a driver whose license has been revoked due to drunk driving fails to use an IID in accordance with the regulations after reapplying for a driving license

If a driver whose license has been revoked for drunk driving drives a vehicle without an IID

**NT\$6,000~12,000**  
Common punishment: Removal of the car

People who do a breathalyzer test for others will also face a fine of NT\$6,000 to NT\$12,000.

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