

MADD Child Endangerment Recommendations with a State-by-State Overview

DUI child endangerment: A law that provides sanctions beyond a "regular" DUI when a child is in the vehicle at the time of offense

Primary seat belt: When a law enforcement officer is able to cite a violation based solely on failure to observe the occupant protection law. "For all" means that a state has a primary enforcement of its state belt law for adults and children; "Yes" means that a state has primary enforcement for at least those 16 and under.

Child >= 16 years: If a state's DUI child endangerment law applies to those 16 and under.

Additional ALR: If a state assesses additional time for administrative license revocation for a DUI child endangerment offense

Mandatory Treatment: If a state requires those who commit DUI child endangerment to undergo alcohol abuse assessment and, if necessary, treatment. "For all" means that a state has this for all offenses; "Yes" means that a state has this for DUI child endangerment.

Interlock Required: An ignition interlock device prevents a vehicle from being started if the driver has alcohol in their system. This law mandate the use of such devices for DUI offenders. "For all" means that it applies to all DUI offenders; "Yes" means that the use is mandated for all DUI child endangerment offenders.

2nd offense felony: If a state treats a repeat offense of DUI child endangerment as a felony. "For all" means that a state treats all DUI 2nd offenses as felony; "Yes" means that a state treats 2nd offense DUI child endangerment as a felony.

No diversion: Diversion programs enable offenders charged with DUI/DWI offenses to avoid (a) statutory sanctions that would otherwise be imposed upon arrest and/or conviction and (b) record of conviction and license sanctions. "For all" means that a state does not allow diversion for any offense; "Yes" means that a state does not allow diversion for child endangerment offenses.

.05 BAC for repeat offenders: Lowering the BAC at which previously convicted DUI offenders can be charged has been shown to reduce repeat offenses. "For all" means that a state has a lower BAC (at least .05) for all DUI repeat offenders; "Yes" means that a state has a lower BAC (at least .05) for all DUI child endangerment repeat offenders.