



A STATEMENT OF POLICY REGARDING THE POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS, AND POSSESSION, USE, AND SALE OF ILLEGAL DRUGS AND ENFORCEMENT OF FEDERAL AND STATE DRUG LAWS

A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

ACTIVA Training Center (ATC) publishes and distributes a copy of the Drug and Alcohol Abuse Prevention Program annually to all current students and employees. If new students enroll or new employees are hired after the initial distribution for the year, these new individuals will also receive the materials. Below are the details related to this topic.

Drug and Alcohol Abuse Prevention

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our schools, and our community. The U.S. Department of Education requires higher education institutions to implement a drug prevention and awareness program for their students and employees through the **Safe and Drug-Free Schools and Communities Act**. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

Standards of Conduct

The school community must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on property owned or otherwise controlled by ATC. If an individual associated with the school is apprehended for violating any drug- or alcohol-related law when on the school

property, or participating in a school activity, the school will fully cooperate with all law enforcement agencies. Underage possession or consumption of alcoholic beverages is not permitted on property owned or controlled by the school and the state laws will be enforced. Intentionally or knowingly selling, or intentionally or knowingly furnishing alcoholic beverages to people under the age of 21, or to people obviously inebriated, is not permitted on property owned or controlled by the school.

Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol

Moderate to high doses of alcohol cause marked impairments in higher mental functions and the loss of memory. High doses of alcohol can cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and the liver. Physical effects of drugs include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. The use of drugs may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the ability to perform tasks requiring concentration and coordination.

Motivation and cognition may also be altered, making the acquisition of new information difficult. As one can see from the above, there are major health risks associated with the use of illicit drugs and the abuse of alcohol.

Penalties for Drug Convictions

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

Possession of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.

- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction. Sale of Illegal Drugs
- For the first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

Other Potential Federal Penalties for Drug Violations

Some other potential federal penalties and sanctions applicable to drug-related offenses include:

21 U.S.C. 844

1st conviction: Up to 1 year imprisonment and fined at least \$1,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5, or both.

Provisions relating to increased penalties in cases of certain serious crack possession offenses, making offenders subject to fines under Title 18 or imprisonment to terms not less than 5 years and no more than 20 years, or both.

Possession of flunitrazepam shall be imprisoned for not more than 3 years, fined as otherwise provided in this section, or both after the mixture or substance exceeds 1 gram.

21 U. S. C. 844a Civil fines up to \$10,000

21 U. S. C. 847

Additional Penalties Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law.

21 U. S. C. 854 Investment of illicit drug profits

Whoever violates this section shall be fined no more than \$50,000 or imprisoned not more than 10 years, or both.

21 U. S. C. 862

a. Drug Traffickers - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, up to 10 years for a second and permanently ineligible for subsequent offenses.

b. Drug Possessors

(1) Any individual who is convicted of any Federal or State offense involving the possession of a controlled substance (as such term is defined for purposes of this subchapter) shall—

(A) upon the first conviction for such an offense and at the discretion of the court—

(I) be ineligible for any or all Federal benefits for up to one year.

(ii) be required to successfully complete an approved drug treatment program which includes periodic testing to ensure that the individual remains drug free.

(iii) be required to perform appropriate community service; or

(iv) any combination of clause (i), (ii), or (iii); and

(B) upon a second or subsequent conviction for such an offense be ineligible for all Federal benefits for up to 5 years after such conviction as determined by the court. The court shall continue to have the discretion in subparagraph (A) above. In imposing penalties and conditions under subparagraph (A), the court may require that the completion of the conditions imposed by clause (ii) or (iii) be a requirement for the reinstatement of benefits under clause (i).

(2) The penalties and conditions which may be imposed under this subsection shall be waived in the case of a person who, if there is a reasonable body of evidence to substantiate such declaration, declares himself to be an addict and submits himself to a

long-term treatment program for addiction or is deemed to be rehabilitated pursuant to rules established by the Secretary of Health and Human Services.

(c) Suspension of period of ineligibility

the period of ineligibility referred to in subsections (a) and (b) shall be suspended if the individual

(A) completes a supervised drug rehabilitation program after becoming ineligible under this section.

(B) has otherwise been rehabilitated; or

(C) has made a good faith effort to gain admission to a supervised drug rehabilitation program but is unable to do so because of inaccessibility or unavailability of such a program, or the inability of the individual to pay for such a program.

21 U. S. C. 862a

Denial of assistance and benefits for certain drug-related convictions, i.e., the state program funded under the Social Security Act, or food stamp program, or state program under the Food Stamp Act.

Legal Consequences of Substance Abuse in the State of Florida

There are a number of legal consequences that can occur because of substance abuse (drugs and/or alcohol). Under Florida law, the sanctions listed below are imposed for offenses related to substance abuse. Even harsher punishments for drug trafficking are imposed at the federal level.

1. Possession of 20 grams or less of cannabis is a misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of \$1,000. Subsequent offenses or possession of higher amounts can raise the charge to a minimum sentence of 15 years imprisonment and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$200,000.
2. The delivery of 20 grams or less without remuneration is a misdemeanor punishable by a maximum sentence of 1-year imprisonment and a maximum fine

of \$1,000. Delivery of higher amounts can raise the charge to a minimum sentence of 15 years imprisonment and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$200,000.

3. According to the Florida Statutes, a first-degree felony is punishable in Florida by up to 30 years in prison and a fine of up to \$10,000. A second-degree felony is punishable by up to 15 years in prison and a fine of \$10,000. Upon conviction for a third-degree felony for possession of even a small-but-detectable amount of any controlled substance except marijuana, § 893.13(6) of the statutes prescribes a penalty of up to five years in prison and a fine of up to \$5,000.
4. Possession with Intent to Sell, Manufacture, or Deliver is generally classified as a second-degree felony with penalties up to 15 years in prison.
5. Possession of an alcoholic beverage by an underage person (a minor, juvenile, or other person under 21) is generally classified as a second-degree misdemeanor. The penalties for such an offense include a maximum of 60 days jail or six months of probation, and a \$500 fine.
6. Distributing alcohol to anyone under 21 years of age is illegal. A first offense is a second-degree misdemeanor, and the maximum penalties are: Up to 60 days in jail, up to 6 months' probation, and up to \$500 in fines. A second or subsequent offense within one year of a prior conviction is an enhanced offense, and the maximum penalties increase to: Up to 12 months in jail, up to 12 months of probation, and up to \$1,000 in fines. A second conviction can also be a felony, punishable for five years in prison and a \$5,000 fine.
7. As in most states, the penalties for a DUI in Florida escalate as you get more and more convictions. Florida also modifies the punishments for all DUIs if you had a BAC over 0.15 or if there was a minor in the car. First conviction for a DUI will result in a fine between \$500 and \$1,000 and up to six months imprisonment. If BAC is over 0.15 or if there was a minor in the vehicle, the fine will be between \$1,000 and \$2,000 and up to nine months imprisonment. For a second conviction, besides a fine of \$1,000-\$2,000 and up to nine months imprisonment, an interlock ignition device is required on all vehicles owned in part by the offender for at least one year. Convictions for your third DUI are considered a felony if it's been less than

10 years since the second conviction. A fourth DUI conviction is a felony regardless of how much time has passed.

FLORIDA State Alcohol Laws

Influenced Driving

Florida ranks 34th among the 50 states in order of which are the most dangerous when it comes to driving under the influence (DUI). As of 2024, about 5.09 drunk drivers out of 100,000 licensed drivers are involved in fatal DUI accidents. Similarly, 3.90 per 100,000 state residents are killed in car accidents involving a drunk driver.

DUI Information for Adults

DUI Conviction Penalties First DUI conviction

- Minimum 180 days revocation, maximum one year; up to three years if bodily injury
- Up to six months imprisonment, or up to nine months imprisonment if BAC over 0.15 or minor in the vehicle
- Fine between \$500 and \$1,000, or \$1,000 and \$2,000 if BAC over 0.15 or minor in the vehicle.

Second DUI Conviction

- Within five years from prior conviction: Minimum five years revocation Interlock
- Five or more years after first conviction, the same revocation periods as first offense apply.
- Ignition device for at least one year.
- Up to nine months imprisonment.
- Maximum fine of \$1,000-\$2,000.

Third DUI Conviction

- Can result in a 3-rd. degree felony if it's been less than 10 years since the second conviction
- Between 12 months and 5 years of jail time
- Within 10 years of the second conviction: Minimum 10 years revocation.

- 10 or more years after the second conviction, the same revocation periods as first offense apply

Fourth DUI Conviction

- It is a 3rd degree felony regardless of how much time has passed
- Up to five years in prison
- Fines \$2,000-\$5,000.
- Mandatory permanent revocation

DUI manslaughter

- From 15 to 30 years in prison
- Mandatory permanent revocation

Manslaughter, DUI serious bodily injury or vehicular homicide convictions

- Minimum three years revocation
- DUI serious bodily injury having prior DUI conviction, minimum three years revocation

Other Alcohol Offenses

Felony DUI - Class 4 felony (following a crash resulting in great bodily harm or permanent disfigurement.)

- Loss of full driving privileges for life.
- Possible imprisonment for one to five years.
- Maximum fine of \$5,000.

Providing Alcohol to a Person Under Age 21

- Possible imprisonment for up to one year.
- Maximum fine of \$1,000.

Illegal Transportation of Alcoholic Beverages

In Florida

it is unlawful for alcoholic beverages to be transported in quantities of more than 12 bottles except as follows:

- By common carriers;
- In the owned or leased vehicles of licensed vendors or any persons authorized in s. 561.57(3) transporting alcoholic beverage purchases from the distributor's place of business to the vendor's licensed place of business or off-premises storage for alcoholic beverages purchased and transported as provided for in the alcoholic beverage law;
- By individuals who possess such beverages not for resale within the state;
- By licensed manufacturers, distributors, or vendors transporting alcoholic beverages pursuant to s. 561.57; and
- By a vendor, distributor, pool buying agent, or salesperson of wine and spirits

Knowingly Permitting a Driver Under the Influence to Operate a Vehicle

- Second-degree misdemeanor: 60 days in jail, a \$500 fine, and six months of probation
- First-degree misdemeanor: Up to one year in jail and a \$1,000 fine

Summary Suspension First Offense:

- A chemical test indicating a BAC of .08 or greater, or under the age of 21, a BAC of .02 or above, results in a six-month driver's license suspension.
- Refusal to submit to a chemical test(s) result in a one-year license suspension

Subsequent Offenses:

- Second or subsequent suspensions for people over the age of 21 with an alcohol level of .08 or above or people under the age of 21 with an alcohol level of .02 or above, one year.
- Second or subsequent suspension for refusal, 18 months.
- For people under the age of 21: if the breath or blood alcohol level is .05 or higher, the suspension remains in effect until completion of a substance abuse evaluation and course.

Teenage Drinking and Driving

Drivers under age 21 represent 10% of licensed drivers but are involved in 17% alcohol-related fatal crashes. If you are arrested for DUI, you will be handcuffed and taken to jail. What will your parents say when you call home and tell them you are in jail? Florida laws on teenage drinking and driving are stricter than for adults. The state of Florida has a zero-tolerance policy for underage drinking; a person under the age of 21 is not allowed to have a BAC higher than 0.02, as opposed to the legal limit of 0.08 for adults over the age of 21. Since a single drink can result in 0.02 BAC, this fact reinforces the point that those under the age of 21 cannot lawfully consume alcohol. The bottom line is that teenage drinking and driving can easily have serious consequences. Crashes are a leading cause of death for teens. Nationally, six individuals between the ages of 15 - 20 die in motor vehicle crashes each day. About 2 in every 5 Americans will be involved in an alcohol-related crash at some time in their lives.

Legal Consequences of Underage Drinking and Driving

First underage DUI offense.

- First offense with BAC between 0.02 and 0.07 – Six-month driver's license suspension
- Refusal to submit to a breathalyzer for first alleged offense – one-year driver's license suspension
- Fines range from \$1,000-\$2,000.

Second underage offense

- Second or subsequent offense with BAC between 0.02 and 0.07 – one-year driver's license suspension.
- Second or subsequent refusal to submit to a breathalyzer test – eighteen-month driver's license suspension.

- The requirement to complete a substance abuse evaluation and education course if the BAC result is 0.05 or greater, and the driver's license will remain suspended until the course is complete
- Jail time is from ten days to 12 months.
- Fines could range from \$1,000 to \$4,000.

Third Underage 21 DUI Conviction - Third Degree Felony

- License suspension for a year or more.
- Mandatory imprisonment of at least 30 days with a minimum of 48 consecutive hours.
- Possible imprisonment for up to 5 years.
- Fines range from \$2,000 to \$5,000.

Aggravated DUI

Third Degree Felony (DUI Causing Serious Bodily Injury)

- Up to 5 years in prison or 5 years of probation • Maximum fine of \$5,000.
- Loss of full driving privileges for a minimum of 5 years.

Underage Illegal Transportation of an Alcoholic Beverage

- Fines range from \$500 to \$1,000.
- Driver's license suspended from 6 months to one year for first conviction.
- Driver's license suspended for up to two years for following offenses.

Possession of Alcoholic Beverages in Florida

Possessing alcohol while under 21 is a second-degree misdemeanor, known as "minor in possession of alcohol" (MIP). Penalties include:

- A maximum of \$1,000 fine, up to one year in jail and 12 months of probation.

Using a Fake Florida Driver's License or ID Card

Knowingly possessing, using, selling, manufacturing, or even delivering a fake ID is considered a **third-degree felony in Florida**. 3rd-degree felonies are punishable in Florida as follows:

- Up to 5 years in prison, a \$5000 fine, and/or 5 years of probation.
- Driver's license may also be suspended for up to a year.

Zero Tolerance Law for Underage Drinking and Driving

To curb the tragic consequences of underage drinking and driving, the State of Florida adopted a strict "Zero Tolerance" policy in 1986 in response to the increasing number of deaths and injuries caused by drinking and driving. This policy imposes severe penalties on drivers under 21 years old who are caught with any measurable amount of alcohol in their systems, which can result in a suspended driver's license.

Under Florida's zero tolerance policy, any driver under the age of 21 with a BAC of 0.02 percent or higher can be charged with DUI. This means that even if you have just one drink, you could be facing legal trouble.

The penalties for underage DUI in Florida can be severe. A first-time offense can result in:

- A six-month driver's license suspension
- A fine of up to \$500
- Community service
- Alcohol education classes if you are under 18 years of age

Subsequent offenses carry even harsher penalties, including longer license suspensions, higher fines and even jail time. If you are under legal drinking age and your BAC-level is 0.08 percent or higher, penalties are also increased and include up to a one-year license suspension and 50 hours of community service.

How You Can Help Report Drunk Drivers

You can help by reporting suspected drunk drivers to your nearest State Police Headquarters. From your cellular telephone or citizens band radio, provide us with the following information:

- The location you are calling from.
- Time, location, direction of travel, and a description of the suspected drunk driver.
- The make, color, and license plate number of the car.

Blood Alcohol Content Table

This table shows the effects of alcohol on a normal person of a given body weight. Please do not take this table as a license to drink irresponsibly. Everyone is different, and alcohol affects each person in a slightly different way. Only you know your limits. Please drink with them.

One drink equal:		Levels of Intoxication:
* 1 oz. 86 proof Liquor	or	BAC less than .05% - Caution
* 3 oz. wine		BAC .05 to .079% - Driving Impaired
* 12 oz. Beer		BAC .08% & up - Presumed Under the Influence

Number of Body Weight Drinks

Body Weight	1	2	3	4	5	6	7	8	9
100	0.032	0.065	0.097	0.129	0.162	0.194	0.226	0.258	0.291
120	0.027	0.054	0.081	0.108	0.135	0.161	0.188	0.215	0.242
140	0.023	0.046	0.069	0.092	0.115	0.138	0.161	0.184	0.207
160	0.020	0.040	0.060	0.080	0.101	0.121	0.141	0.161	0.181
180	0.018	0.036	0.054	0.072	0.090	0.108	0.126	0.144	0.162
200	0.016	0.032	0.048	0.064	0.080	0.097	0.113	0.129	0.145

220	0.015	0.029	0.044	0.058	0.073	0.088	0.102	0.117	0.131
240	0.014	0.027	0.040	0.053	0.067	0.081	0.095	0.108	0.121

This table shows the effects of alcohol within one hour on a normal person of a given body weight.

Local Penalties and Sanctions for Drug and Alcohol Violations

Florida Laws and Penalties

Possession

Possession of 20 grams or less of cannabis is a misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of \$1,000.

Possession of more than 20 grams and up to 25 pounds of cannabis is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000.

Possession of more than 25 pounds and up to 2,000 pounds of cannabis (or 300-2,000 plants) is a felony punishable by a mandatory minimum sentence of 3 years imprisonment and a maximum sentence of 15 years imprisonment and a maximum fine of \$25,000.

Possession of 2,000 pounds and up to 10,000 pounds of cannabis (or 2,000-10,000 plants) is a felony punishable by a mandatory minimum sentence of 7 years and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$50,000. Possession of 10,000 pounds of cannabis or more is a felony punishable by a mandatory minimum sentence of 15 years imprisonment and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$200,000.

Sale or delivery within 1,000 feet of a school, college, park, or other specified areas is a felony punishable by a mandatory minimum sentence of 3 years and up to 15 years imprisonment and a maximum fine of \$10,000.

- Florida Criminal Code § 893.13(h)(3)
- Florida Criminal Code § 893.135(1)(a)(1)(2)(3)

Sale/Delivery

The delivery of 20 grams or less without remuneration is a misdemeanor punishable by a maximum sentence of 1-year imprisonment and a maximum fine of \$1,000. The sale of more than 20 grams and up to 25 pounds of cannabis is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000. The sale of more than 25 pounds and up to 2,000 pounds of cannabis (or 300-2,000 plants) is a felony punishable by a mandatory minimum sentence of 3 years imprisonment and a maximum sentence of 15 years imprisonment and a maximum fine of \$25,000.

The sale of more than 2,000 pounds and up to 10,000 pounds of cannabis (or 2,000 - 10,000 plants) is a felony punishable by a mandatory minimum sentence of 7 years and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$50,000.

The sale of 10,000 pounds or more of cannabis is a felony punishable by a mandatory minimum sentence of 15 years imprisonment and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$200,000.

Sale or delivery of cannabis within 1,000 feet of a school, college, park, or other specified areas is a felony punishable by a maximum sentence of 15 years imprisonment and a maximum fine of \$10,000.

Florida Criminal Code § 893.13(h)(3)

Florida Criminal Code § 893.135(1)(a)(1)(2)(3)

Florida Criminal Code § 893.13(c)

Hash & Concentrates

Possession of hashish or concentration is a felony punishable by a term of imprisonment no greater than 5 years and a fine no greater than \$5,000. Selling, manufacturing, delivering, or possessing with intent to sell, manufacture or deliver, hashish or concentrates is a felony punishable by a term of imprisonment no greater than 5 years and a fine no greater than \$5,000. If this occurs within 1,000 feet of a school, childcare

facility, etc., it is punishable by 15 years of incarceration and a maximum fine of \$10,000. Florida Criminal Code § 893.13

Paraphernalia

Possession of drug paraphernalia is a misdemeanor punishable by a maximum sentence of one 1-year imprisonment and a maximum fine of \$1,000. Florida Criminal Code § 893.147

LOCAL DECRIMINALIZATION

This state has local jurisdictions that have enacted municipal laws or resolutions either fully or partially decriminalizing minor cannabis possession offenses.

LOW THC

This state has passed a low THC law allowing for the use of cannabis extracts that are high in CBD and low in THC in instances where a physician has recommended such treatment to a patient with a state-qualifying condition.

MANDATORY MINIMUM SENTENCE

When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to “life MMS” must serve a life sentence with no chance of parole.

MEDICAL MARIJUANA

This state has medical marijuana laws enacted. Modern research suggests that cannabis is a valuable aid in the treatment of a wide range of clinical applications. These include pain relief, nausea, spasticity, glaucoma, and movement disorders. Marijuana is also a powerful appetite stimulant, and emerging research suggests that marijuana’s medicinal properties may protect the body against some types of malignant tumors and are neuroprotective.

LIQUOR LAW VIOLATIONS IN FLORIDA

Penalties for liquor law violations can be severe, ranging from misdemeanors to felonies, depending on the nature of the offense and the individual's prior convictions. For example, selling alcohol to a person under 21 is a second-degree felony for a first offense, with the statute of limitations extending to two years

Underage Alcohol Possession and Distribution

One of the most frequently encountered offenses is underage alcohol possession. Florida Statute Section 562.111(1) categorizes "Possession of Alcohol Beverage Under 21" as a second-degree misdemeanor for first offenders. This law makes it unlawful for anyone under 21, unless within the scope of employment, to possess alcoholic beverages. The statute of limitations for this offense is one year, emphasizing the swift action taken against violators.

Selling alcohol to minors is another grave concern, marked as a second-degree felony for first offenses under Florida Statute Section 562.11(1)(a). This law prohibits the sale, service, or permitting of alcohol consumption by individuals under 21 on licensed premises. A second or subsequent offense within a year of a prior conviction upgrades the charge to a first-degree misdemeanor.

Penalties

In Florida, liquor law violations can range from second-degree misdemeanors to felonies, depending on the nature of the offense. For instance, underage possession of alcohol is typically charged as a misdemeanor, while selling alcohol to minors may escalate to felony charges for repeat offenders. Here's a breakdown of the penalties associated with different levels of offenses:

Second-Degree Misdemeanor: Up to 60 days in jail, a fine of up to \$500, and possible probation. This includes the first offenses of underage possession of alcohol.

First-Degree Misdemeanor: Up to 1 year in jail, a fine of up to \$1,000, and possible probation. Charges escalate to this level for repeat underage possession offenses or for selling alcohol to minors.

Felony Charges: Penalties for felonies can include more significant jail time, larger fines, and longer probation periods. These are typically reserved for the most serious violations, such as repeated sales to minors within a year of prior conviction.

Furthermore, businesses found in violation of Florida's liquor laws may face additional penalties, including the suspension or revocation of their liquor licenses. This can have a devastating effect on establishments that rely on alcohol sales as a significant part of their revenue.

It's also worth noting that liquor law violations can lead to other legal complications, such as increased insurance rates, loss of employment opportunities, and difficulties in securing housing. For businesses, a violation can tarnish their reputation and result in lost patronage.

FLORIDA DUI LAWS

Driving under the influence of alcohol or drugs (DUI) is a dangerous crime. The state of Florida takes DUI offenses very seriously. You face suspension of your license to drive a motor vehicle, along with criminal sanctions, if convicted of driving under the influence. The cost of a DUI can include steep fines and court fees, license suspension, and other negative consequences. Florida statutes prohibit anyone from driving or being in actual physical control of a vehicle when they are under the influence of alcohol, a controlled substance, or another chemical substance that causes impairment to their normal faculties.

Florida has set a **blood alcohol content (BAC)** limit of 0.08%. If you are driving a commercial vehicle, the BAC limit is 0.04%. At this level, or if you test higher, you are *per se* intoxicated. **Per se intoxication** does not need further evidence of your impairment for a drunk driving charge. You don't have to be at or above a BAC of 0.08% for a DUI charge. You may be below this limit yet still be charged if showing clear signs of impairment.

Florida's laws also prohibit driving under the influence of controlled substances, such as illegal drugs, legal medical marijuana, and other chemicals that alter your "normal

faculties." This can mean you cannot walk steadily, are slurring your words, or are weaving while driving. You may also have failed the field sobriety tests, which police officers use to gauge intoxication.

Underage DUI

Florida has zero-tolerance laws that make it illegal for anyone under 21 to drive under the influence of alcohol or drugs. If caught with a BAC of 0.02% or more, law enforcement will charge you, causing you to lose your license for six months. A second offense will revoke your driver's license for 18 months. If you refuse chemical tests, your license suspension is 12 months for the first instance and 18 months for the second. You face the same penalties as an adult if your BAC is 0.08% or more.

Aggravated DUI

Several circumstances will elevate your charge to an aggravated DUI, which is at least a third-degree felony offense. Aggravated DUIs carry more severe penalties that will vary depending on the circumstances of your charge. You will face an aggravated charge if:

- Your BAC is 0.15% or above
- You are transporting a minor at the time of your arrest
- You cause property damage or personal injury
- You cause serious bodily injury
- You are classified as a habitual offender

DUI Penalties

A DUI conviction carries both criminal and administrative penalties. The court imposes criminal penalties, while the Florida Department of Highway Safety and Motor Vehicles imposes administrative penalties.

A first DUI conviction can result in up to six months of jail time, with fines of \$500 to \$1,000. The judge may add up to one year of monthly reporting probation, 50 hours of community service, and vehicle impoundment for 10 days. They can also order you to install an interlock ignition device (IID) on your vehicle for six months. Your administrative penalties include a driver's license revocation between six months and one year.

A second DUI conviction will cost you \$1,000 to \$2,000 in fines and up to nine months in jail. If you have two convictions within five years, you must serve at least 10 days in prison, plus vehicle impoundment for 30 days. You must also install an ignition interlock device for one to two years after your license revocation period expires. If this is your second DUI within five years, you will lose your license for five years.

Administrative Penalties

Most DUI convictions will require an ignition interlock device installed as either part of your sentence or as a condition of having a hardship or limited license. An ignition interlock device is an alcohol breath test installed into your vehicle's ignition system. You must breathe into the machine, and if it detects a BAC of 0.025% or more, it will not start the vehicle. An IID is mandatory if you have a prior DUI conviction.

If ordered by the judge, you may be required to have an IID installed on your vehicle after a first offense. The devices are mandatory for six months for first offenders with a BAC of more than 0.15%. Subsequent convictions increase the IID requirement to one to two years. In addition, you will have to complete an alcohol education course or DUI school before installing an IID.

Your IID requirement begins once you have completed your license revocation period. You may need to apply for a hardship or restricted license that will allow you to drive to work or essential appointments, like meeting with your probation officer or attending DUI education classes.

Federal Financial Aid Penalties for Drug Violations

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: "Have you ever been convicted of possessing or selling illegal drugs?"

Students who use fafsa.gov and answer "Yes" to question 23 will immediately receive a series of questions to determine their eligibility. Students who fill out a paper FAFSA and

answer “Yes” to this question will receive a worksheet with their SAR to determine whether the conviction affects their eligibility for federal student aid.

Failure to answer the question automatically disqualifies students from receiving federal financial aid.

Answering this question falsely will result in fines up to \$20,000, imprisonment, or both.

How to Regain Federal Student Aid Eligibility

1. A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends, or upon having a conviction reversed, set aside or removed from the student’s so that fewer than two convictions for sale of illegal drugs or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.

2. A student may also regain eligibility upon successful completion of a qualified drug rehabilitation program that must:

- Include the student passing of at least two unannounced drug tests; AND
- Have received or is qualified to receive funds directly or indirectly under a federal, state or local government program, or,
- Be administered by a federal, state, or local government agency or court, or
- Be qualified to receive payments directly or indirectly from a federal or a state-licensed insurance company, or
- Be administered or recognized by a federal or a state-licensed hospital, health clinic or medical doctor.

3. A student may further regain eligibility upon successful completion of two unannounced drug tests which are part of an approved rehab program (the student does not complete the rest of the program).

The student is responsible for certifying that a rehabilitation program was successfully completed, as with the conviction question on the FAFSA, the School is not required to confirm the reported information unless conflicting information is determined.

Convictions during Enrollment

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify ATC immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

Drug and Alcohol Counseling in Miami- Dade

Available to all students is the 988 Suicide and Crisis Lifeline. Students can call, text, or visit <https://988lifeline.org/> to receive referrals to local resources and support for individuals who need drug and alcohol counseling.

Local, Regional and National Drug or Alcohol Abuse Educational Programs

Lakeview Health (Florida)

<https://www.lakeviewhealth.com/addiction/treatment>

Miami-Dade County Gov. Substance Abuse Treatment Program

[Substance Abuse Treatment Programs](#)

Florida Department of Health (gov)

[Substance Use Disorder | Florida Department of Health](#)

National Institute on Drug Abuse (NIDA)

[NIDA.NIH.GOV | National Institute on Drug Abuse \(NIDA\)](#)

Institutional Sanctions for Alcohol and Drug Violations

Any member of the school community found consuming or selling drugs on school property shall be subject to discipline on a case-by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from the school.
- In all cases, the school will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- The school has adopted a zero-tolerance policy regarding underage drinking.
- Successful completion of an appropriate rehabilitation program by an individual confirmed to have been in violation of alcohol or drug policies and/or laws who has since sought admission or readmission to the school will be considered on a case-by-case basis.

Biennial Review of the Drug and Alcohol Abuse Prevention Program

Schools are required to conduct a biennial review of their drug and alcohol abuse prevention program. This review must include a determination of the number of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities and the number and type of sanctions imposed by the institution because of drug and alcohol related violations and fatalities that occur on the institution's campus or as part of the institution's activities.

The term “campus” is defined in the same manner as it is defined for campus safety reporting purposes. That is, the term campus encompasses any building or property

owned or controlled by the school within a reasonably contiguous geographic area used in direct support of the school's educational purposes or used by students and supporting institutional purposes.

The effectiveness of ATC's prevention program is, in part, also measured by tracking the number of drug and alcohol-related

- disciplinary actions,
- treatment referrals, and
- incidents recorded by school officials.

Additionally, to assist in the determination of the effectiveness of ATC's prevention program, the school considers, when the school is made aware, the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse. The school also conducts a survey to ascertain student, faculty, and employee attitudes and perceptions about whether there is a drug and alcohol problem on campus.

With the results gathered from the various points of information described above, the school writes its report giving the results of the biennial review and its determination of whether the program is effective or must be modified. The school keeps the biennial review on file in case of a possible audit. Schools are not required to send their review to the U.S. Department of Education unless requested to do so. ATC conducts its biennial review every other year. The report from the review and documents related to it are retained for three years after the fiscal year in which the report was created and are available upon request.