

**DEPARTMENT TRAFFIC COORDINATOR  
COUNTER TERRORISM AND SPECIAL OPERATIONS BUREAU**

**NOTICE**  
16.2

March 19, 2014

**TO:** All Commanding Officers

**FROM:** Department Traffic Coordinator, Counter-Terrorism and Special Operations Bureau

**SUBJECT:** REVISED CALIFORNIA VEHICLE CODE SECTIONS FOR DRIVING UNDER THE INFLUENCE

Due to recent legislation, the two most commonly used California Vehicle Code (CVC) sections for Driving Under the Influence (DUI) have been revised. Effective January 1, 2014, CVC Section 23152 "Driving Under the Influence" and Section 23153 "Driving Under the Influence and Causing Bodily Injury to Another Person" have been revised. The sections have added subsection "e" and "f" to differentiate between driving under the influence of alcohol from driving under the influence of drugs. The revised CVC sections will allow the State and the Department to accurately track the number of persons arrested for DUI alcohol and for DUI drugs. Listed below are the booking charge summaries and revised CVC sections:

***Section 23152 "Driving Under the Influence"***

23152(a) VC: DUI Alcohol

It is unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle.

23152(b) VC: DUI Alcohol with Blood Alcohol Concentration (BAC) of 0.08 Percent or More

It is unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

23152(c) VC: Driving While Addicted to Drugs

It is unlawful for a person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

23152(d) VC: Commercial Driver DUI with BAC of 0.04 Percent or More

It is unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210.

23152(e) VC: DUI Drugs

It is unlawful for a person who is under the influence of any drug to drive a vehicle.

23152(f) VC: DUI Alcohol and Drugs

It is unlawful for a person who is under the combined influence of any alcoholic beverage and drug to drive a vehicle.

***Section 23153 “Driving Under the Influence and Causing Bodily Injury to Another Person”***

23153(a) VC: DUI Alcohol

It is unlawful for a person, while under the influence of any alcoholic beverage to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect any proximately causes bodily injury to any person other than driver.

23153(b) VC: DUI Alcohol with BAC of 0.08 percent or more

It is unlawful for a person, while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

23153(c) VC: Establishing Violation

In proving the person neglected any duty imposed by law in driving the vehicle, it is not necessary to prove that any specific section of this code was violated.

23153(d) VC: DUI Commercial Driver DUI with BAC of 0.04 percent or more

It is unlawful for a person, while having 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210, and concurrently to do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than driver.

23153(e) VC: DUI Drugs

It is unlawful for a person, while under the influence of any drug, to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

23153(f) VC: DUI Alcohol and Drugs

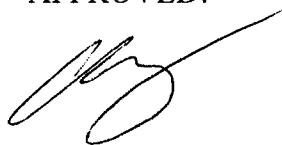
It is unlawful for a person, while under the influence of any alcoholic beverage and drug, to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed caused bodily injury to any person other than the driver.

If you have any questions regarding this Notice, please contact Traffic Coordination Section, Emergency Operations Division, at (213) 486-0690.

APPROVED:



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