

NOTIFICATION OF ENHANCEMENT – MINOR INTOXICATION VIOLATION - 76-9-701

Defendant: _____, Case No. _____

ELEMENTS

76-9-701(1): A person is guilty of intoxication if the person is under the influence of alcohol, a controlled substance, or any substance having the property of releasing toxic vapors, to a degree that the person may endanger the person or another, in a public place or in a private place where the person unreasonably disturbs other persons.

ENHANCEMENT / PENALTIES

76-9-701(4)(a): When a minor who is at least 18 years old, but younger than 21 years old, is found by a court to have violated this section, the court hearing the case shall suspend the minor’s driving privileges under Section 53-3-219.

53-3-219(1): The Utah Drivers License Division shall immediately suspend all driving privileges or, if the person has not been issued an operator license, deny the person’s application for a license or learner’s permit, of any person upon receipt of an order suspending driving privileges under Section 76-9-701: (a) for one year on the first order suspending a person’s driving privileges; (b) for two years on a second or subsequent order suspending a person’s driving privileges.

76-9-701(3)(a): If a minor is found by a court to have violated this section and the violation is the minor’s second or subsequent violation of this section, the court shall order the minor to participate in an educational series as defined in Section 41-6a-501.

41-6a-501(1)(d): “Educational series” means an educational series obtained at a substance abuse program that is approved by the Board of Substance Abuse and Mental Health.

76-9-701(7): An offense under this section is a class C misdemeanor.

Minimum / Maximum Sentence

Class C Misdemeanor: 0 to 90 days jail; \$0 to \$1,062.50 fines and surcharges, plus interest

I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.

Date

Defendant