

# ALBUQUERQUE CRIMINAL LAWYER BLOG

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## **New Mexico's Holiday DWI Superblitz: Don't Drink and Drive. Not Even a Little!**

New Mexico's Winter DWI Superblitz began yesterday. The Superblitz will run through January 9, 2011. The timing of the Superblitz is no accident. DWI driving along with DWI accidents go up tremendously during the holiday season.

The State hopes to deter drunk driving over the holidays. The anti-DWI campaign will come with significant public exposure and advertising including TV ads, newspapers ads and billboards.

This is not unusual. Operation DWI in New Mexico has been going since 1993. The campaign has been pretty effective at reducing DWI related crashes and fatalities. According the New Mexico DWI Resource Center, alcohol related accidents dropped by over 25% from 1997 to 2006 (from 3884 to 2871). During the same time period, alcohol related accidents involving serious injury or death dropped by over 45% (from 1333 to 703 per year).

There is no data available after 2006 but it appears that the trends have continued in the same direction. Hence, the Superblitz which will last through the entire holiday season. Of course, the state will continue to utilize the 100 Days and Nights of Summer and other operations throughout the year that include 75 to 100 checkpoints throughout the State during the anti-DWI campaigns.

What does this mean for you? It means simply do not drink and drive. Not even a little. Most assume the standard for DWI arrest is a .08 breath alcohol level. This is not the case in New Mexico which instead follows the "impaired to the slightest degree" standard. There have been countless drivers convicted under this standard despite being below, sometimes well below the traditional .08 standard.

As such, if you are stopped at a checkpoint and either admit to drinking or the officer either smells even a hint of alcohol, you will be asked to exit your vehicle for some holiday exercise walking heel to toe, doing nice tight turns, balancing on one leg, and so on. Then of course, there will be the night in jail where you will be sure to keep up that New Year's fasting resolution. Not the way you wanted to burn off the holiday calories.

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And that's just the beginning of the DWI process which can end with some pretty serious criminal and civil consequences.

Seriously, Don't Drink and Drive. Not Even a Little!

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