
	Policy Title:	<b>Drug-free and Alcohol-Free in the Campus Appendix – California Sanctions</b>			
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The following summarizes some of the state laws relevant to students and employees:

- It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public (CA Bus. & Prof. Code §25662).
- Any person who furnishes, gives or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor (CA Bus. & Prof. Code §25658(a)).
- Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others is guilty of a misdemeanor (CA Penal Code §647(f)).
- It is illegal for persons to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (CA Veh. Code §23152).
- It is a misdemeanor to ride a bicycle under the influence of alcohol, drugs or both (CA Veh. Code §21200.5).
- It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle (CA Veh. Code §23223).
- It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area (CA Veh. Code §23225).

California penalties for offenses involving controlled substances include (California Health & Safety Code §11350) imprisonment in the county jail or state prison and fine not to exceed \$70 or probation with fine, but for felony convictions a fine of at least \$1,000 for the first offense and at least \$2,000 for second or subsequent offenses or community service for unlawful possession of controlled substances. The following is a list of some of the legal sanctions for driving under the influence of alcohol (or any other drug):

- First conviction: Imprisonment in the county jail for not less than 96 hours, at least 48 hours which are continuous, nor more than six months and by a fine of not less than \$390 nor more than \$1,000 and except as otherwise provided suspension of privilege to operate motor vehicle (CA Veh. Code §23536).
- Conviction of driving under the influence with or without bodily injury within ten years of certain other felony convictions including vehicular manslaughter and driving under the influence: Imprisonment in state prison or in the county jail for not more than one year and a fine of not less than \$390 nor more than \$1,000 and revocation of privilege to operate a motor vehicle (CA Veh. Code §23550.5).
- Driving under the influence causing bodily injury: Imprisonment in state prison or county jail for not less than 90 days nor more than one year and a fine of not less than \$390 nor more than \$1,000 and suspension of privilege to operate a motor vehicle (CA Veh. Code §23554).
- Driving under the influence causing bodily injury or death to more than one victim: Enhancement of one year in state prison for each additional injured victim up to a maximum of three one year enhancements (CA Veh. Code §23558).
- Second conviction of driving under the influence causing bodily injury within ten years or conviction within ten years of separate conviction of other specified offenses involving alcohol or drugs: Imprisonment in the county jail for not less than 120 days nor more than one year and a fine of not

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less than \$390 nor more than \$5,000 and revocation of privilege to operate a motor vehicle (CA Veh. Code §23560).

### **Local Prohibitions**

The County of Los Angeles enforces the State of California and federal law as they relate to alcohol and drug violations. Additional restrictions include possession of an opened alcoholic beverages on sidewalks or public spaces, including parks, playgrounds, as well as adjacent to retail spaces which sell alcoholic beverages. Violations result in an infraction (Ord. No. 158,498)