

## FACT SHEET

SUBJECT: Government of Japan Alcohol Related Driving Penalties

1. Japanese police determine if a person is driving while intoxicated based upon the driving behavior and/or ability to successfully complete a sobriety test, not necessarily based upon the BAC level. Even if a person has a low DUI BAC level, .03 to .08, they may still be charged with driving while intoxicated if the police officer determines the person is unable to drive correctly or fail the sobriety test. Below compares current and new penalties.

- a. Driving While Intoxicated (DWI) - Confinement not exceeding 5 years or fine not exceeding 1,000,000Yen.
- b. Driving While Impaired/Driving Under the Influence (DUI) - Confinement not exceeding 3 years or fine not exceeding 500,000Yen.
- c. Providing an intoxicated person with a vehicle - Confinement not exceeding 5 years or fine not exceeding 1,000,000Yen.
- d. Providing a person with alcohol who subsequently is DUI or DWI - Confinement not exceeding 3 years or fine not exceeding 500,000Yen.
- e. Riding as passengers in a vehicle operated by a person intoxicated - Confinement not exceeding 3 years or fine not exceeding 500,000Yen.
- f. Rejecting balloon test - Confinement not exceeding 3-month or fine not exceeding 500,000Yen.
- g. Hit & Run - Confinement not exceeding 10 years or fine not exceeding 1,000,000Yen.

2. Japanese conviction for the above offenses may also be accompanied by adverse administrative action by the US Army.

3. POC is CPT Travis P. Sommer, Trial Counsel, 263-4041.