Can I get a DWI on a boat?

It’s just about Memorial Day weekend, and a lot of Springfield residents will be heading to the lake at some point today. As with any holiday weekend, a lot of BBQ, boating, and drinking is expected on this weekend to celebrate – which brings up the question of whether or not you can get a DWI while driving a boat.

For many people, this never crosses their mind as it’s fairly customary to bring onboard a case of beer or some cocktails for its passengers. However, drinking should never extend to the driver of any form of vehicle – even boats. In all 50 states, it is illegal to drink and operate a boat or other watercraft.

Here in Missouri, BUIs (Boating Under the Influence) are considered to be very serious crimes with a large tier of punishments. Under the influence can mean drugs as well as alcohol. Convictions depend on previous convictions and injuries/fatalities due to their state, and typically will fall under two categories: “Impairment”: The offender is proven to be under the influence of drugs/alcohol, or “Per se”: a blood alcohol concentration (BAC) of 0.08% or more.

Class B misdemeanor: First offenders with either an impairment or per se BWI offense.

Class A misdemeanor: First offenders with either an impairment or per se BWI offense and had a child as a passenger, or a prior boating offender.

Class E felony: First offenders with either an impairment or per se BWI offense and acted with negligence and injured someone, or a persistent offender.

Class D felony: First offenders with either an impairment or per se BWI offense that caused serious injury or were negligent towards emergency personnel, or an aggravated offender.

Class C felony: First offenders with an impairment offense and caused death to another person or serious injury to emergency personnel, or a chronic offender.

Class B felony: First offenders with an impairment offense and caused death to emergency personnel, or a habitual offender.

Class A felony: Habitual offenders that were already convicted of the same offense.

Each case is different when it comes to BUIs, and we encourage you to talk to a professional, experienced lawyer to protect you like Tad Morlan can. Please call 417-865-4400 for a free no-obligation consultation today.