

Automobile Offenses Zero-Tolerance Act (AOZTA) 2014

Bad driving destroys lives, which is why President Obama, with rare bipartisan support, signed the Automobile Offenses Zero-Tolerance Act in 2014. It came into effect on April 1 2015. As well as introducing harsher sentences for the more serious offenses such as DUI manslaughter (now potentially punishable with life imprisonment), it has introduced a new system for punishing more minor offenses. Every minor offense now incurs points to the offender, in addition to the cost of the ticket issued to the offender. There are points thresholds, and if the offender's points exceeds that threshold, they are subject to potential punishment. They can choose to suspend the punishment (except the driving ban elements, which automatically begin when sentenced), and that means that if they go a full two years without committing any further offenses, the points total that they have accumulated will be halved. There is a risk in doing this, as any further points will move them towards the next threshold with a higher punishment, as well as unsuspended the previous punishment threshold. If, when breaking the first threshold, the offender had accepted the punishment, they would have had their points total halved immediately, making reaching the next threshold far less likely.

Any offenses committed before April 1 2015 will be included in points calculations, but with the points halved. These points in themselves cannot incur a new penalty, but if the offender accumulates more points through new offenses, the existing points on record may move them towards a higher punishment threshold than someone without any pre-April 1 2015 points.

Threshold 1 - 2 to 6 weeks in prison, which can be exchanged with 4 weekends (Friday evening to Monday morning) per week of the original sentence. One to three month driving ban.

Threshold 2 - 2 to 6 months in prison. Six to 12 months driving ban.

Threshold 3 - 12 to 48 months in prison. 12 to 36 months driving ban.

Threshold 4 - 48 to 72 months in prison. 30 to 60 months driving ban.

Threshold 5 - 60 to 180 months in prison. Life driving ban.

Points:

Threshold 1 - 6 points

Threshold 2 - 12 points

Threshold 3 - 18 points

Threshold 4 - 27 points

Threshold 5 - 36 points

Offenses and point totals

For a second offense, +1 point, for a third offense, +2 points (except for illegal parking - speeding offenses are same offense for this purpose)

Illegal parking	1 point
Speeding	1 point
Speeding (more than 20 mph over limit)	2 or 3 points
Running a red light	3 points
Driving distracted	2 or 3 points
DUI	4 to 6 points
Driving without a license or on a suspended license	10 points
Driving without insurance	5 points

Samantha Smith

Age 29

Points accumulated before April 1 2015: 17

<u>Date</u>	<u>Offense</u>	<u>Points</u>
12.18.2005	DUI	5
03.04.2006	Illegal parking	1
11.22.2007	Speeding	1
12.09.2007	Speeding	2
07.07.2009	Driving distracted	2
08.16.2011	Speeding (>20mph)	4
03.27.2012	Illegal parking	1
08.02.2013	Illegal parking	1

Points towards current total from points accumulated prior to April 1 2015: 8.5

Points accumulated since April 1 2015:

<u>Date</u>	<u>Offense</u>	<u>Points</u>	<u>Running Total</u>	<u>Threshold?</u>	<u>Punishment</u>
07.14.2015	Illegal parking	1	9.5	N	N/A
12.06.2015	Driving distracted	3	12.5	2 Y	Suspended
04.01.2016	D susp. License	10	22.5	3 Y	Activated

Previous sentences since April 1 2015: None

Current active sentence? Y

Punishment history: Miss Smith asked to suspend punishment when crossed threshold 3. When accumulated points to exceed threshold 3 (she pleaded not guilty to the charge as she was driving an ill friend to the hospital, but was still convicted), the previous suspended punishment was activated and consequently Miss Smith was denied the right to suspend the new sentence.

Sentence: 42 months in women's prison, medium security for at least first 21 months.

After sentence: Miss Smith banned from driving for 30 months upon release. Points will be halved one year after release pending no further points in that period. If any points are incurred during that period, a new period of two years will begin, after which points will be halved if there is no further offending.



Natalie Marco

Age 41

Points accumulated before April 1 2015: 10

<u>Date</u>	<u>Offense</u>	<u>Points</u>
08.29.1994	Speeding	1
12.28.1995	Illegal parking	1
04.14.1999	Illegal parking	1
01.12.2004	Running red light	3
10.20.2006	Speeding	2
01.19.2008	Illegal parking	1
02.06.2012	Illegal parking	1

Points towards current total from points accumulated prior to April 1 2015: 5

Points accumulated since April 1 2015:

<u>Date</u>	<u>Offense</u>	<u>Points</u>	<u>Running Total</u>	<u>Threshold?</u>	<u>Punishment</u>
07.31.2016	Speeding	3	8	1 Y	Activated - served

Previous sentences since April 1 2015: None

Current active sentence? N

Punishment history: Late for a family meal, Natalie Marco was caught driving just over the speed limit. She admitted her guilt in court, and this meant that points exceeded threshold 1. Mrs Marco chose to serve rather than suspend sentence.

Sentence: Spent 4 weeks in a county jail, low security.

After sentence: Mrs Marco banned from driving for 2 months. Total points will be halved one year after release pending no further points in that period. If any points are incurred during that period, a new period of two years will begin, after which points will be halved if there is no further offending.



Karla Jacobs

Age 25

Points accumulated before April 1 2015: 40

<u>Date</u>	<u>Offense</u>	<u>Points</u>
09.13.2009	Illegal parking	1
10.19.2009	Illegal parking	1
04.25.2010	Illegal parking	1
05.24.2010	Illegal parking	1
09.03.2010	Speeding (>20mph)	3
09.12.2010	Illegal parking	1
01.16.2011	Illegal parking	1
02.18.2011	Driving distracted	2
06.08.2011	Illegal parking	1
10.17.2011	Illegal parking	1
03.15.2012	Illegal parking	1
04.19.2012	Driving distracted	3
10.13.2012	Illegal parking	1
12.15.2012	Illegal parking	1
12.27.2012	Speeding	2
07.23.2013	Illegal parking	1
09.07.2013	Illegal parking	1
10.10.2013	Illegal parking	1
11.10.2013	Speeding (>20mph)	5
06.25.2014	Illegal parking	1
07.28.2014	Driving distracted	4
03.11.2015	DUI	6

Points towards current total from points accumulated prior to April 1 2015: 20

Points accumulated since April 1 2015:

<u>Date</u>	<u>Offense</u>	<u>Points</u>	<u>Running Total</u>	<u>Threshold?</u>	<u>Punishment</u>
08.30.2015	D w/out. License	10	30	4 Y	Suspended
06.05.2016	Speeding (>20mph)	6	36	5 Y	Activated



Previous sentences since April 1 2015: None

Current active sentence? Y

Reason: Given too much money, Miss Jacobs consistently broke the law, as paying the tickets and fines was so easy for her. In the short periods that she was banned from driving, she would just use taxis. Under the new system, these offenses all incurred points. After her DUI conviction in 2015 she voluntarily gave up her driving license, but was caught months later driving without a license. This meant that with the points she had accumulated, she crossed threshold 4. She paid a large fine but opted to suspend the main punishment, and therefore avoided going to prison for at least 48 months. However, a month after obtaining a new driving license, she was caught speeding well over the speed limit. This meant that her points now exceeded threshold 5. Her previous suspended punishment consequently denied her the right to suspend punishment.

Sentence: 108 to 144 months in women's prison, high security for at least first 36 months, must serve 84 months in at least medium security.

After sentence: Miss Jacobs is banned from driving for the rest of her life. She should therefore not incur any more points. As with all offenders though, her points will be halved one year after release pending no further points in that period. Due to her lifetime ban, she loses the right to invoke suspension of a sentence. If she is found driving she will incur 10 points. If this takes place in the first year after release, she will once again incur a penalty in line with breaches of threshold 5. If it takes place more than a year after release she will have breached threshold 4 and will incur a penalty appropriate to that.