

ADULT DUI CRIMINAL PENALTIES

FIRST DUI CONVICTION **CLASS A MISDEMEANOR**

Fine: Not less than \$600.00, nor more than \$2,100.00
Jail: Imprisonment in county or municipal jail for not more than 1 year
License: 90 day suspension
Other: Mandatory attendance of a drug/alcohol awareness class
Court costs
Fee to reinstate license
Raised insurance rates and/or loss of insurance
SR-22 Insurance
Note: For first conviction fine can be substituted for imprisonment

SECOND DUI CONVICTION **CLASS A MISDEMEANOR**

Fine: Not less than \$1,100.00, nor more than \$5,100.00 (within 5 year period)
Jail: Imprisonment in county or municipal jail for not more than 1 year
Mandatory 5 days in jail or community service for not less than 30 days
License: Revocation for 1 year (if within 5 years of first conviction)
Other: Mandatory attendance of a drug/alcohol awareness class
Court costs
Fee to reinstate license
Raised insurance rates and/or loss of insurance
SR-22 Insurance

THIRD DUI CONVICTION **CLASS A MISDEMEANOR**

Fine: Not less than \$2,100.00, nor more than \$10,100.00
Jail: Imprisonment in county or municipal jail for not less than 60 days, nor more than 1 year,
but mandatory 60 days in jail (Does not have to be served consecutively)
License: Revocation for 3 years
Other: Mandatory attendance of a drug/alcohol awareness class
Court costs
Fee to reinstate license
Raised insurance rates and/or loss of insurance
SR-22 Insurance

FOURTH DUI CONVICTION & MORE **CLASS C FELONY**

Fine: Not less than \$4,100.00, nor more than \$10,100.00
Jail: Not less than 1 year and 1 day in State Prison, nor more than 10 years
Mandatory 10 days
License: Revocation for 5 years
Other: Mandatory attendance of a drug/alcohol awareness class
Court costs
Fee to reinstate license
Raised insurance rates and/or loss of insurance
SR-22 Insurance

ADDITIONAL ADULT DUI CONSIDERATIONS

- Any Person Over 21 is Convicted of BUI and Child Under 14 was Present, Sentence is Double Minimum Mandatory
- Neither Reckless Driving nor any Other Traffic Infraction is a Lesser Included Offense to DUI
- Motor Vehicle Registration is Suspended if There are 2 Convictions During a 5 Year Period. Registration is Suspended for Length of Driver License Suspension
- Convictions Court for a Lifetime for Sentence Enhancement Purposes
- Out of State Convictions Court for Sentence Enhancement Purposes

SCHOOL BUS OR DAY CARE BUS DRIVER CRIMINAL DUI PENALTIES

- Blood Alcohol Content Lowered to .02%
- Same Penalties as Regular Adult Conviction Except License Suspended For 1 Year on First Conviction
- Only Applies if Arrested in Performance of Duty as Bus Driver

CDL CRIMINAL DUI PENALTIES

- Blood Alcohol Content Lowered to .04% (if operating commercial vehicle)
- Loss of CDL for 1 Year if Convicted Regular DUI or Driving Commercial Vehicle Under the Influence
- Loss of CDL for a LIFETIME if Convicted 2 or More Times Regular DUI or Driving Commercial Vehicle Under the Influence
- Placed Out of Service for 24 Hours

UNDER 21 CRIMINAL DUI PENALTIES

- Blood Alcohol Content Lowered to .02%
- For First Conviction and BAC is between .02%--.08% only 30 day License Suspension and Alcohol Class in lieu of Other Punishment
- For Second Conviction, Same Penalties as Adult DUI

BOATING UNDER THE INFLUENCE

- Punished Same as Adult Penalties, Except Only Boating License is Effected, Not Driver License
- Any Person Over 21 is Convicted of BUI and Child Under 14 was Present, Sentence is Double Minimum Mandatory
- BUI Does Not Count For Sentence Enhancement Purposes for DUI

Please note that, while every effort is made to regularly update the herein stated law, legislative action and or appellate court decisions may have changed the herein stated