

**NEBRASKA DRIVING UNDER THE INFLUENCE (DUI) LAW**

Alcohol BAC Level .08 to .149

**First Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(1))**

Maximum: 60 days in jail  
6 months license revocation  
\$500 fine

Mandatory Minimum: 7 days in jail  
6 months license revocation  
\$500 fine  
The court requires the person to apply for ignition interlock.

If Probation: 60 day license revocation  
\$500 fine  
The court requires the person to apply for ignition interlock.

**Second Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(3))**

Maximum: 6 months in jail  
18 months license revocation  
\$500 fine

Mandatory Minimum: 30 days in jail  
18 months license revocation  
\$500 fine  
The court requires the person to apply for ignition interlock after 45 days.

If Probation: 10 days in jail or not less than 240 hours of community service  
18 months license revocation  
\$500 fine  
The court requires the person to apply for ignition interlock after 45 days.

**Third Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(4))**

Maximum: 1 year in jail  
15 year license revocation  
\$1,000 fine

Mandatory Minimum: 90 days in jail  
15 years license revocation  
\$1,000 fine  
The court requires the person to apply for ignition interlock after 45 days.

If Probation: 10 days in jail or not less than 240 hours of community service  
18 months license revocation  
\$500 fine  
The court requires the person to apply for ignition interlock after 45 days.

## NEBRASKA DRIVING UNDER THE INFLUENCE (DUI) LAW

### Alcohol BAC Level .15 or Higher

#### **First Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(2))**

Maximum:	60 days in jail 1 year license revocation \$500 fine
Mandatory Minimum:	7 days in jail 1 year license revocation \$500 fine
If Probation:	The court requires the person to apply for ignition interlock. 2 days in jail or not less than 120 hours of community service 1 year license revocation or impoundment \$500 fine The court requires the person to apply for ignition interlock.

#### **Second Offense – Class I Misdemeanor § 28-106 & § 60-6,197.03(5)**

Maximum:	1 year in jail 15 year license revocation \$1,000 fine
Mandatory Minimum:	90 days in jail 18 months license revocation \$1,000 fine
If Probation:	30 days in jail 18 months license revocation \$1,000 fine The court requires the person to apply for ignition interlock after 45 days.

#### **Third Offense – Class IIIA Felony (§ 28-106 & § 60-6,197.03(6))**

Maximum:	3 years in jail 15 year license revocation \$1,000 fine
Mandatory Minimum:	180 days in jail 15 year license revocation
If Probation:	60 days in jail 5-15 years license revocation \$1,000 fine The court requires the person to apply for ignition interlock after 45 days.