

# TRAFFIC PENALTIES - ALCOHOL

<b>DUI (.08) or Refusal of Chemical Test</b>				
Offense	Level	Imprisonment	Fine	License Revocation
<b>DUI .08</b>	W	7 – 60 days,	a \$500 fine,	and 6 month revocation.
- 1 prior	W	30 days – 6 mos,	a \$500 fine,	and 18 mo revocation.
- 2 priors	W	90 days – 1 year,	a \$1,000 fine,	and 15 year revocation.
- 3 priors	FIIIA	180 days – 3 years, If imprisoned, 9-18 months post-release supervision	and/or up to \$10,000 fine,	and 15 year revocation.
- 4 priors	FIIA	2 – 20 years,		and 15 year revocation.
<b>Refusal of Chem Test</b>	W	7 – 60 days,	a \$500 fine,	and 6 month revocation.
- 1 prior	M1	90 days – 1 year,	a \$1,000 fine,	and 18 mo – 15 year revocation.
- 2 priors	FIIIA	180 days – 3 years, If imprisoned, 9-18 months post-release supervision	and/or up to \$10,000 fine,	and 15 year revocation.
- 3 priors	FIIA	0 – 20 years,		and 15 year revocation.
- 4 priors	FIIA	1 – 50 years,		and 15 year revocation.
<b>DUI .08 (passenger under age 16)</b>	MI	0 – 1 year	and/or up to \$1,000 fine.	
<b>DUI Causing Serious Bodily Injury</b>	FIIIA	0 – 3 years, If imprisoned, 9-18 months post-release supervision	and/or up to \$10,000 fine,	And 60 day to 15 year revocation.
<b>Aggravated DUI (.15 or DUI with Refusal)</b>				
<b>DUI .15</b>	W	7 – 60 days,	a \$500 fine,	and 1 year revocation.
- 1 prior	MI	90 days – 1 year,	a \$1000 fine,	& 18 mo – 15 yr revocation.
- 2 priors	FIIIA	180 days – 3 years, If imprisoned, 9-18 months post-release supervision	a \$10,000 fine,	and 15 year revocation.
- 3 priors	FIIA	0 – 20 years,		and 15 year revocation.
- 4 priors	FII	1 – 50 years,		and 15 year revocation.
<b>DUI with Refusal</b>				
- 1 prior	MI	90 days – 1 year,	a \$1000 fine,	& 18 mo – 15 yr revocation.
- 2 priors	FIIIA	180 days – 3 years, If imprisoned, 9-18 months post-release supervision	and/or up to \$10,000 fine,	and 15 year revocation.
- 3 priors	FIIA	0 – 20 years,		and 15 year revocation.
- 4 priors	FII	1 – 50 years,		and 15 year revocation.

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<b>Interlock Device-Related Offenses</b>				
<b>Tamper/Circumvent Device w/ .02</b>	MI	0 – 1 year,	and/or up to \$1,000 fine,	
	FIV	0 – 2 years, If imprisoned, up to 12 months post-release supervision	and/or up to \$10,000 fine,	
<b>No Install of Device w/ .02</b>	MI	0 – 1 year,	and/or up to \$1,000 fine	
	FIV	0 – 2 years, If imprisoned, up to 12 months post-release supervision	and/or up to \$10,000 fine,	
<b>Other Violations of Interlock Court Order</b>	MIII	0 – 3 months,	and/or up to \$500 fine,	
<b>Miscellaneous Alcohol-Related Offenses</b>				
<b>Zero Tolerance Violation (.02)</b>	Inf		Up to \$100 fine,	and 30-day impoundment.
<b>Open Container</b>	Inf		Up to \$100 fine.	

## ADMINISTRATIVE LICENSE REVOCATION (ALR) PENALTIES (Administered through DMV independently of any Court ordered sentence)

ALR penalties	License Revocation	Scope of Driving
<b>ALR 1<sup>st</sup> (Failure of alcohol Test)</b>	<b><u>180 day license revocation</u></b> – driver may apply to DMV for an IIP immediately with no required no-drive period if driver does not request an ALR hearing. Driver is given credit for revocation days and interlock days served, against any DUI.	Ignition interlock Permit allows holder to drive a vehicle equipped with an ignition interlock device.
<b>ALR 1<sup>st</sup> (Refusal of alcohol test)</b>	<b><u>1 year license revocation – after 90 days of no driving</u></b> , interlock permit may be issued by DMV for balance of one year if driver does not request an ALR hearing. Driver is given credit for revocation days and interlock days served, against any DUI/Refusal sentence.	Ignition interlock Permit allows holder to drive a vehicle equipped with an ignition interlock device.
<b>ALR 2<sup>nd</sup> &amp; Sub. (Failure of alcohol test)</b>	<b><u>1 year license revocation – after 45 days of no driving</u></b> , interlock permit may be issued by DMV for balance of one year if driver does not request an ALR hearing. Driver is given credit for revocation days and interlock days served, against any DUI sentence.	Ignition interlock Permit allows holder to drive a vehicle equipped with an ignition interlock device.