

Penalties Pursuant to the New DUI Laws*

*Underlined penalties are mandatory

	1st Offense	2nd Offense	3rd Offense	Subsequent Offense(s)
General Impairment Penalties <ul style="list-style-type: none"> • § 3802 (a) • BAC of .08% to .099% • Individuals incapable of safe driving 	<ul style="list-style-type: none"> • Ungraded misdemeanor • No license suspension • <u>Up to 6 months probation</u> • <u>\$300 fine</u> • <u>Alcohol hwy safety school</u> • Treatment when ordered • No ignition interlock • ARD eligible • <u>CRN evaluation</u> 	<ul style="list-style-type: none"> • Ungraded misdemeanor • <u>1 year license suspension</u> • <u>5 days to 6 months prison</u> • <u>\$300 - \$2,500 fine</u> • <u>Alcohol hwy safety school</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • House arrest/work release eligible 	<ul style="list-style-type: none"> • 2nd degree misdemeanor • <u>1 year license suspension</u> • <u>10 days to 2 years prison</u> • <u>\$500 - \$5,000 fine</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • House arrest/work release eligible 	<ul style="list-style-type: none"> • 2nd degree misdemeanor • <u>1 year license suspension</u> • <u>10 days to 2 years prison</u> • <u>\$500 - \$5,000 fine</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • Work release eligible
High Rate of Alcohol <ul style="list-style-type: none"> • § 3802 (b) • BAC of .10% to .159% • Minors with .02% BAC • CDL drivers with .04% BAC • School bus/vehicle drivers with .04% BAC 	<ul style="list-style-type: none"> • Ungraded misdemeanor • <u>1 year license suspension</u> • <u>48 hours to 6 months prison</u> • <u>\$500 - \$5,000 fine</u> • <u>Alcohol hwy safety school</u> • <u>CRN evaluation</u> • Treatment when ordered • No ignition interlock • House arrest/work release eligible • ARD eligible 	<ul style="list-style-type: none"> • Ungraded misdemeanor • <u>1 year license suspension</u> • <u>30 days to 6 months prison</u> • <u>\$750 - \$5,000 fine</u> • <u>Alcohol hwy safety school</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • House arrest/work release eligible 	<ul style="list-style-type: none"> • 1st degree misdemeanor • <u>18 months license suspension</u> • <u>90 days to 5 years prison</u> • <u>\$1,500 - \$10,000 fine</u> • <u>Alcohol hwy safety school</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • House arrest/work release eligible 	<ul style="list-style-type: none"> • 1st degree misdemeanor • <u>18 months license suspension</u> • <u>1 - 5 years prison</u> • <u>\$1,500 - \$10,000 fine</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • Work release eligible
Highest Rate of Alcohol <ul style="list-style-type: none"> • § 3802 (c) • BAC of .16% and above • Minimum levels of controlled substance in blood • Individuals who refused chemical test 	<ul style="list-style-type: none"> • Ungraded misdemeanor • <u>1 year license suspension</u> • <u>72 hours to 6 months prison</u> • <u>\$1,000 - \$5,000 fine</u> • <u>Alcohol hwy safety school</u> • <u>CRN evaluation</u> • Treatment when ordered • ARD eligible • House arrest/work release eligible 	<ul style="list-style-type: none"> • 1st degree misdemeanor • <u>18 months license suspension</u> • <u>90 days to 5 years prison</u> • <u>Minimum \$1,000 fine</u> • <u>Alcohol hwy safety school</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • House arrest/work release eligible 	<ul style="list-style-type: none"> • 1st degree misdemeanor • <u>18 months license suspension</u> • <u>1- 5 years prison</u> • <u>Minimum \$2,500 fine</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • House arrest/work release eligible 	<ul style="list-style-type: none"> • 1st degree misdemeanor • <u>18 months license suspension</u> • <u>1- 5 years prison</u> • <u>Minimum \$2,500 fine</u> • <u>CRN evaluation</u> • Treatment when ordered • <u>1 year ignition interlock</u> • Work release eligible

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