

DRUNK DRIVING PENALTIES
(as of July 1, 2008)

42-4-1301

	OFFENSE:	PENALTY:	FINE:
(7)(a)(I)	DUI, Habitual User, Per Se	5 days – 1 Year, the court can suspend all jail with alcohol evaluation and Level I or II; and 48-96 Hours Useful Public Service.	\$600-\$1000
(7)(a)(II) applies to the following:		90 days – 1 Year, the court can suspend 80 Days, if: 1. Alcohol Evaluation 2. Completes Level I or II 3. Abstaining for 1 Year 4. Monitored by treatment facility; and 60-120 Hrs. Useful Public Service	\$1000-\$1500
(7)(a)(III)(A)	Conviction for DUI, Habitual User, Per se, and previous conviction for DUI, Habitual User, Per se, Vehicular Homicide, Vehicular Assault or Driving Under Restraint		
(7)(a)(III)(B)	DUI, DWAI or Per se when Blood Alcohol Content >.20		
(7)(a)(IV)	DUI, Habitual User or Per se and previous conviction for DWAI	70 days – 1 Year, the court can suspend 63 Days; if: 1. Alcohol Evaluation 2. Completes Level I or II 3. Abstaining for 1 Year 4. Monitored by treatment facility; and 56-112 Hrs. Useful Public Service	\$900-\$1500
(7)(b)(I)	DWAI	2-180 days, the court can suspend all jail with alcohol evaluation and level I or II; and 24-48 hours Useful Public Service.	\$200-\$500
(7)(b)(II)	2nd or subsequent DWAI	45 days – 1 Year, the court can suspend 40 days, if: 1. Alcohol Evaluation 2. Completes Level I or II 3. Abstains for 1 Year 4. Monitored by treatment facility; and 48-96 Hrs. Useful Public Service	\$600-\$1000
(7)(b)(III)	DWAI and Previous Conviction for DUI, Habitual User, Per se, Vehicular Homicide, Vehicular Assault, or Driving Under Restraint	60 Days – 1 Year, the court can suspend 54 days, if: 1. Alcohol Evaluation 2. Completes Level I or II 3. Abstains for 1 Year 4. Monitored by treatment facility; and, 52-104 Hrs. Useful Public Service	\$800-\$1200