

# KNOW THE LAW

## D.W.I. PENALTIES

Minimum blood alcohol levels at which driver's license is revoked:  
.02% -under 21, and .08%- 21 and over.

### First Offense – Misdemeanor

6 months to 1 year license revocation  
(1 year if under 21).

Up to 90 days in jail.

Mandatory: DWI school, alcohol evaluation, ignition interlock for 1 year, community service.

Other: treatment.

### Second Offense- Misdemeanor

2 year license revocation.

Up to 364 days in jail, 96 hours mandatory.

Up to \$1000 fine, \$500 mandatory.

Other Mandatory Penalties: Alcohol evaluation, community service, treatment, ignition interlock for 3 years.

Other: Up to 5 years probation.

### Third Offense- Misdemeanor

3 year license revocation.

Up to 364 days in jail, mandatory 30 days.

Up to \$1000 fine, \$750 mandatory.

Other Mandatory Penalties: Alcohol evaluation, community service, treatment, ignition interlock for 3 years.

Other: Up to 5 years probation.

### Fourth Offense- Felony (fourth degree)

Lifetime license revocation, with 5-year court review.

Up to 18 months prison, 6 months mandatory.

Up to \$5000 fine.

Other Mandatory Penalties: Alcohol evaluation, treatment, lifetime ignition interlock with a 5-year court review.

### Fifth Offense- Felony (fourth degree)

Lifetime license revocation, with 5-year court review.

Up to 2 years prison, 1 year mandatory.

Up to \$5000 fine.

Other Mandatory Penalties: Alcohol evaluation, treatment,

Sixth Offense- Felony (third degree)  
Lifetime license revocation, with 5-year  
court review.

Up to 30 months prison, 18 months  
mandatory.

Up to \$5,000 fine.

Other Mandatory Penalties: Alcohol  
evaluation, treatment, lifetime ignition  
interlock with a 5-year court review.

Seventh or Subsequent Offense- Felony  
(third degree)

Lifetime license revocation, with 5-year  
court review.

Up to 3-years prison, 2-years  
mandatory.

Up to \$5000 fine.

Other Mandatory Penalties: Alcohol  
evaluation, treatment, lifetime ignition  
interlock with a 5-year court review.

Aggravated DWI (.16BAC or above,  
refusal to take BAC test or cause bodily  
injury while DWI)

1st Offense, Mandatory: Additional 2  
days jail.

2nd Offense, Mandatory: Additional 4  
days jail.

3rd Offense, Mandatory: Additional 60  
days jail.

Driving While Revoked for  
DWI-Misdemeanor

1-year revocation added to current  
revocation period.

Up to one year in jail, 7 days mandatory.

Other: 30 days immobilization of ve-  
hicle driven by offender.

Driving while revoked includes driv-  
ing without an interlock when it's  
required by an interlock license.

Selling or Giving Alcohol to a Minor-  
Felony (fourth degree)

To knowingly sell, serve or give alco-  
holic beverages to a minor, or to per-  
mit a minor to consume alcoholic  
beverages or to assist a minor  
to buy alcoholic beverages.

Does not apply to parents serving their  
own children in their home, to an  
adult spouse of a minor,  
or to the use of alcohol in religious  
services. Minor here means someone  
under 21 years of age.

**YOU DRINK  
YOU DRIVE  
YOU LOSE**