

**10TH JUDICIAL DISTRICT OWI GUIDELINES - Effective for offenses on or after July 14, 2015**

Approved By: Chief Judge Scott Needham (updated 07/14/15)

**FIRST OFFENSE**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)1

**FORFEITURE:** \$150 TO \$300 (plus surcharges and costs)

**REVOCAION:** 6 - 9 MONTHS (no waiting; s.343.30(1q)(b)2.).

**IGNITION INTERLOCK:** Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

**DRIVING FACTORS**

<b>BAC LEVEL</b>	<b>Minimum Driving - No Accident</b>		<b>Aggravated Driving - Accident or Injury; Bad Driving Record</b>		
.149 & Below  Restricted Controlled Substance	Forfeiture	\$150.00		Forfeiture	\$200.00
	Driver surcharge	\$435.00		Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00		Safe driver surcharge	\$50.00
	Costs	\$25.00		Costs	\$25.00
	Court support surcharge	\$68.00		Court support surcharge	\$68.00
	Penalty surcharge	\$39.00		Penalty surcharge	\$52.00
	Justice Info. surcharge	\$21.50		Justice Info. surcharge	\$21.50
	Crime Lab surcharge	\$13.00		Crime Lab surcharge	\$13.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
		<u>\$811.50</u>			<u>\$874.50</u>
	6 month revocation		7 month revocation		
.15 to .199	Forfeiture	\$200.00		Forfeiture	\$250.00
	Driver surcharge	\$435.00		Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00		Safe driver surcharge	\$50.00
	Costs	\$25.00		Costs	\$25.00
	Court support surcharge	\$68.00		Court support surcharge	\$68.00
	Penalty surcharge	\$52.00		Penalty surcharge	\$65.00
	Justice Info. surcharge	\$21.50		Justice Info. surcharge	\$21.50
	Crime Lab surcharge	\$13.00		Crime Lab surcharge	\$13.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00		*Interlock surcharge	\$50.00
	<u>\$924.50</u>		<u>\$987.50</u>		
	7 month revocation		8 month revocation		
Refusal or .20 & Above	Forfeiture	\$250.00		Forfeiture	\$300.00
	Driver surcharge	\$435.00		Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00		Safe driver surcharge	\$50.00
	Costs	\$25.00		Costs	\$25.00
	Court support surcharge	\$68.00		Court support surcharge	\$68.00
	Penalty surcharge	\$65.00		Penalty surcharge	\$78.00
	Justice Info. surcharge	\$21.50		Justice Info. surcharge	\$21.50
	Crime Lab surcharge	\$13.00		Crime Lab surcharge	\$13.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00		*Interlock surcharge	\$50.00
	<u>\$987.50</u>		<u>\$1,050.50</u>		
	8 month revocation/ Refusal 12 mon. revoc.		9 month revocation / Refusal 12 mon. revoc.		

FACTORS: Ability to pay, def. conduct since offense, inclgd.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**SECOND OFFENSE**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)2

JAIL: 5 DAYS - 6 MONTHS

FINE: \$350 - \$1100

REVOCAION: 12 - 18 MONTHS (s.343.30(1q)(b)3.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.149 & Below  Restricted Controlled Substance	Fine	\$350.00	Fine	\$400.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$91.00	Penalty surcharge	\$104.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
	\$1,429.00		\$1,492.00	
	10 days jail - 12 mon. revocation		30 days jail - 14 mon. revocation	
.15 to .199	Fine	\$400.00	Fine	\$450.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$104.00	Penalty surcharge	\$117.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
	\$1,492.00		\$1,555.00	
	10 days jail - 14 mon. revocation		40 days jail - 16 mon. revocation	
Refusal or .20 & above	Fine	\$450.00	Fine	\$500.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$117.00	Penalty surcharge	\$130.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
	\$1,555.00		\$1,618.00	
	20 days jail - 16 mon. revocation		60 days jail - 18 mon. revocation	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**THIRD OFFENSE**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)3

JAIL: 45 DAYS - 12 MONTHS

FINE: \$600 - \$2000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.149 & Below  Restricted Controlled Substance	Fine	\$600.00	Fine	\$650.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$156.00	Penalty surcharge	\$169.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
DNA surcharge	\$200.00	DNA surcharge	\$200.00	
	<u>\$1,744.00</u>		<u>\$1,807.00</u>	
	60 days jail - 24 mon. revocation		80 days jail - 27 mon. revocation	
.15 to .199  <b>Enhancer</b> .17-.199=fine X 2 .20-.249=fine X 3	Fine	\$1,200.00	Fine	\$1,300.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$312.00	Penalty surcharge	\$338.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$12.00	Jail surcharge	\$13.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
DNA surcharge	\$200.00	DNA surcharge	\$200.00	
	<u>\$2,502.00</u>		<u>\$2,629.00</u>	
	80 days jail - 27 mon. revocation		110 days jail - 30 mon. revocation	
Refusal or .20 to .249  <b>Enhancer</b> .20-.249= fine X 3 .25 & over= fine X 4	Fine	\$1,800.00	Fine	\$1,900.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$468.00	Penalty surcharge	\$494.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$18.00	Jail surcharge	\$19.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
DNA surcharge	\$200.00	DNA surcharge	\$200.00	
	<u>\$3,264.00</u>		<u>\$3,391.00</u>	
	110 days jail - 30 mon. revocation		140 days jail - 30 mon. revocation	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**THIRD OFFENSE (CONTINUED)**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)3

JAIL: 45 DAYS - 12 MONTHS

FINE: \$600 - \$2000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
<b>Enhancer</b> .25 and Above .20-.249= fine X 3 .25 & over= fine X 4	Fine	\$2,400.00	Fine	\$2,500.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$624.00	Penalty surcharge	\$650.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$24.00	Jail surcharge	\$25.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
DNA surcharge	\$200.00	DNA surcharge	\$200.00	
		\$4,026.00		\$4,153.00
	110 days jail - 30 mon. revocation		140 days jail - 30 mon. revocation	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**FOURTH OFFENSE**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)4

JAIL: 60 DAYS - 12 MONTHS (minimum 48 consec. hours in jail)

FINE: \$600 - \$2000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

**Note:** class H felony penalty could apply; see s.346.65(2)(am)4m; drug court provisions may apply.

**\*\*Note: if a class H felony penalty is applied; see s.346.65(2)(am)4m -- then a \$250 DNA surcharge applies.**

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.079 & Below  Restricted Controlled Substance	Fine	\$600.00	Fine	\$650.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$156.00	Penalty surcharge	\$169.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	**DNA surcharge	\$200.00	**DNA surcharge	\$200.00
	<u>\$1,744.00</u>		<u>\$1,807.00</u>	
	150 days jail - 27 mon. revocation		170 days jail - 30 mon. revocation	
.08 to .149  Restricted Controlled Substance	Fine	\$900.00	Fine	\$950.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$234.00	Penalty surcharge	\$247.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	**DNA surcharge	\$200.00	**DNA surcharge	\$200.00
	<u>\$2,122.00</u>		<u>\$2,185.00</u>	
	230 days jail - 27 mon. revocation		270 days jail - 30 mon. revocation	
.15 to .199  <b>Enhancer</b> .15-.199= fine X 2 .20-.249= fine X 3	Fine	\$1,200.00	Fine	\$1,300.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$312.00	Penalty surcharge	\$338.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$12.00	Jail surcharge	\$13.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	**DNA surcharge	\$200.00	**DNA surcharge	\$200.00
	<u>\$2,502.00</u>		<u>\$2,629.00</u>	
	270 days jail - 30 mon. revocation		330 days jail - 33 mon. revocation	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**FOURTH OFFENSE (CONTINUED)**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)4

- JAIL: 60 DAYS - 12 MONTHS (minimum 48 consec. hours in jail)
- FINE: \$600 - \$2000
- REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)
- IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.
- \*Revocation Period = Jail + Revocation (343.305 (10g))

**Note:** class H felony penalty could apply; see s.346.65(2)(am)4m; drug court provisions may apply.

**\*\*Note: if a class H felony penalty is applied; see s.346.65(2)(am)4m -- then a \$250 DNA surcharge applies.**

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
Refusal Or .24 to .249  <b>Enhancer</b> .20-.249= fine X 3  .25 & over= fine X 4	Fine	\$1,800.00	Fine	\$1,900.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$468.00	Penalty surcharge	\$494.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$18.00	Jail surcharge	\$19.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	**DNA surcharge	\$200.00	**DNA surcharge	\$200.00
	\$3,264.00		\$3,391.00	
	330 days jail - 33 mon. revocation		350 days jail - 36 mon. revocation	
.25 or above  <b>Enhancer</b> .20-.249= fine X 3  .25 & over= fine X 4	Fine	\$2,400.00	Fine	\$2,500.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$624.00	Penalty surcharge	\$650.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$24.00	Jail surcharge	\$25.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	**DNA surcharge	\$200.00	**DNA surcharge	\$200.00
	\$4,026.00		\$4,153.00	
	330 days jail - 33 mon. revocation		350 days jail - 36 mon. revocation	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**FIRST OFFENSE:  
MINOR UNDER 16 IN  
VEHICLE**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(f)1

JAIL: 5 DAYS - 6 MONTHS (minimum 48 consec. hours in jail)

FINE: \$350 - \$1100

REVOCAION: 12 - 18 MONTHS (s.343.30(1q)(b)3.)

IGNITION INTERLOCK: Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.149 & Below  Restricted Controlled Substance	Fine	\$350.00	Fine	\$400.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$91.00	Penalty surcharge	\$104.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,429.00</u>		<u>\$1,492.00</u>
		10 days jail - 12 mon. revocation		30 days jail - 14 mon. revocation
.15 to .199	Fine	\$400.00	Fine	\$450.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$104.00	Penalty surcharge	\$117.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,492.00</u>		<u>\$1,555.00</u>
		10 days jail - 14 mon. revocation		40 days jail - 16 mon. revocation
Refusal or .20 & above	Fine	\$450.00	Fine	\$500.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$117.00	Penalty surcharge	\$130.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,555.00</u>		<u>\$1,618.00</u>
		20 days jail - 16 mon. revocation		60 days jail - 18 mon. revocation

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**SECOND OFFENSE:  
MINOR UNDER 16 IN  
VEHICLE**

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(f)2

JAIL: 10 DAYS - 12 MONTHS

FINE: \$700 - \$2200

REVOCAION: 12 - 18 MONTHS (s.343.30(1q)(b)3.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.149 & Below  Restricted Controlled Substance	Fine	\$700.00	Fine	\$800.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$182.00	Penalty surcharge	\$208.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA Surcharge	\$200.00	DNA Surcharge	\$200.00
		<u>\$1,870.00</u>		<u>\$1,996.00</u>
		20 days jail - 12 mon. revocation		60 days jail - 14 mon. revocation
.15 to .199	Fine	\$800.00	Fine	\$900.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$208.00	Penalty surcharge	\$234.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA Surcharge	\$200.00	DNA Surcharge	\$200.00
		<u>\$1,996.00</u>		<u>\$2,122.00</u>
		20 days jail - 14 mon. revocation		80 days jail - 16 mon. revocation
Refusal or .20 & above	Fine	\$900.00	Fine	\$1,000.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$234.00	Penalty surcharge	\$260.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA Surcharge	\$200.00	DNA Surcharge	\$200.00
		<u>\$2,122.00</u>		<u>\$2,248.00</u>
		40 days jail - 16 mon. revocation		120 days jail - 18 mon. revocation

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.



**FIRST OFFENSE:**

For violations of 346.63(5), penalty - 346.65(2)(am)1

**COMMERCIAL MOTOR VEHICLE**

**FORFEITURE:** \$150 TO \$300 (plus surcharges and costs)

**REVOCAION:** 6 - 9 MONTHS (no waiting; s.343.30(1q)(b)2.)

\*Revocation Period = Jail + Revocation  
(343.305 (10g))

**IGNITION INTERLOCK:** Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

**DRIVING FACTORS**

BAC LEVEL	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.04 to less than .079	Forfeiture	\$150.00	Forfeiture	\$200.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$25.00	Costs	\$25.00
	Court support surcharge	\$68.00	Court support surcharge	\$68.00
	Penalty surcharge	\$39.00	Penalty surcharge	\$52.00
	Justice Info. surcharge	\$21.50	Justice Info. surcharge	\$21.50
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,069.50</u>		<u>\$1,132.50</u>
	6 month revocation		7 month revocation	
.08 to .15  Restricted controlled substance	Forfeiture	\$200.00	Forfeiture	\$250.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$25.00	Costs	\$25.00
	Court support surcharge	\$68.00	Court support surcharge	\$68.00
	Penalty surcharge	\$52.00	Penalty surcharge	\$65.00
	Justice Info. surcharge	\$21.50	Justice Info. surcharge	\$21.50
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,132.50</u>		<u>\$1,195.50</u>
	7 month revocation		8 month revocation	
.151 and above	Forfeiture	\$250.00	Forfeiture	\$300.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$25.00	Costs	\$25.00
	Court support surcharge	\$68.00	Court support surcharge	\$68.00
	Penalty surcharge	\$65.00	Penalty surcharge	\$78.00
	Justice Info. surcharge	\$21.50	Justice Info. surcharge	\$21.50
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,195.50</u>		<u>\$1,258.50</u>
	8 month revocation/ Refusal 12 mon. revoc.		9 month revocation / Refusal 12 mon. revoc.	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**SECOND OFFENSE:  
COMMERCIAL  
MOTOR VEHICLE**

For violations of 346.63(5), penalty - 346.65(2)(am)2

JAIL: 5 DAYS - 6 MONTHS

FINE: \$350 - \$1100

REVOCAION: 12 - 18 MONTHS (s.343.30(1q)(b)3.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.04 to less than .079	Fine	\$350.00	Fine	\$400.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$91.00	Penalty surcharge	\$104.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		\$1,437.00		\$1,500.00
	10 days jail - 12 mon. revocation		30 days jail - 14 mon. revocation	
.08 to .15	Fine	\$400.00	Fine	\$450.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$104.00	Penalty surcharge	\$117.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		\$1,500.00		\$1,563.00
	10 days jail - 14 mon. revocation		40 days jail - 16 mon. revocation	

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**SECOND OFFENSE:**  
**COMMERCIAL**  
**MOTOR VEHICLE**

For violations of 346.63(5), penalty - 346.65(2)(am)2

**CONTINUED**

JAIL: 5 DAYS - 6 MONTHS

FINE: \$350 - \$1100

REVOCAION: 12 - 18 MONTHS (s.343.30(1q)(b)3.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.151 and above  Restricted controlled substance	Fine	\$450.00	Fine	\$500.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$117.00	Penalty surcharge	\$130.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		\$1,563.00		\$1,626.00
		20 days jail - 16 mon. revocation		60 days jail - 18 mon. revocation

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**THIRD OFFENSE:  
COMMERCIAL  
MOTOR VEHICLE**

For violations of 346.63(5), penalty - 346.65(2)(am)3

JAIL: 45 DAYS - 12 MONTHS

FINE: \$600 - \$2000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.04 to less than .079	Fine	\$600.00	Fine	\$650.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$156.00	Penalty surcharge	\$169.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		\$1,752.00		\$1,815.00
		90 days jail - 24 mon. revocation		120 days jail - 27 mon. revocation
.08 to .15	Fine	\$650.00	Fine	\$700.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$169.00	Penalty surcharge	\$182.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		\$1,815.00		\$1,878.00
		120 days jail - 27 mon. revocation		150 days jail - 30 mon. revocation

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**THIRD OFFENSE:  
COMMERCIAL  
MOTOR VEHICLE**

For violations of 346.63(5), penalty - 346.65(2)(am)3

**CONTINUED**

JAIL: 45 DAYS - 12 MONTHS

FINE: \$600 - \$2000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.151 to .169  Restricted controlled substance	Fine	\$700.00	Fine	\$750.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$182.00	Penalty surcharge	\$195.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$1,878.00</u>		<u>\$1,941.00</u>
		150 days jail - 30 mon. revocation		180 days jail - 33 mon. revocation
.17 to .199	Fine	\$1,200.00	Fine	\$1,300.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$312.00	Penalty surcharge	\$338.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$12.00	Jail surcharge	\$13.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$2,510.00</u>		<u>\$2,637.00</u>
		150 days jail - 30 mon. revocation		180 days jail - 33 mon. revocation

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

**THIRD OFFENSE:  
COMMERCIAL  
MOTOR VEHICLE**

For violations of 346.63(5), penalty - 346.65(2)(am)3

**CONTINUED**

JAIL: 45 DAYS - 12 MONTHS

FINE: \$600 - \$2000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered & titled vehicles (unless excepted) for a period of no less than one year beginning when the license is issued.

\*Revocation Period = Jail + Revocation (343.305 (10g))

Drug court provisions may apply.

**DRIVING FACTORS**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.20 to .249	Fine	\$1,800.00	Fine	\$1,900.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$468.00	Penalty surcharge	\$494.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$18.00	Jail surcharge	\$19.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$3,272.00</u>		<u>\$3,399.00</u>
		150 days jail - 30 mon. revocation		180 days jail - 33 mon. revocation
.25 and above	Fine	\$2,400.00	Fine	\$2,500.00
	Driver surcharge	\$435.00	Driver surcharge	\$435.00
	Safe driver surcharge	\$50.00	Safe driver surcharge	\$50.00
	Costs	\$163.00	Costs	\$163.00
	Penalty surcharge	\$624.00	Penalty surcharge	\$650.00
	Crime Lab surcharge	\$13.00	Crime Lab surcharge	\$13.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$27.00	Victim/Witness surcharge B	\$27.00
	Jail surcharge	\$24.00	Jail surcharge	\$25.00
	Truck Driver Education surcharge	\$8.00	Truck Driver Education surcharge	\$8.00
	*Interlock surcharge	\$50.00	*Interlock surcharge	\$50.00
	DNA surcharge	\$200.00	DNA surcharge	\$200.00
		<u>\$4,034.00</u>		<u>\$4,161.00</u>
		150 days jail - 30 mon. revocation		180 days jail - 33 mon. revocation

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.