

OUI PENALTIES
CURRENT LAW
 (Effective July 9, 1998)

Administrative Suspension
(No Court Involved - No criminal conviction)

PERPETRATOR	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE +	ADDITIONAL PENALTY 1.	COMMENTS
Person under 21 yrs of age who takes the Sobriety Test ["0" tolerance]	1 yr. license suspension	2 yr. license suspension	2 yr. license suspension	2 yr. license suspension	Add 180 day license suspension to each offense if a person under 21 is in the vehicle.	Work restricted license available immediately. Full restoration after 1/2 of suspension served (9 months) and DEEP requirements are met.
Person <u>under 21</u> yrs of age who <u>refuses</u> the sobriety test	18 months license suspension	30 months license suspension	30 months license suspension	30 months license suspension	Add 180 day license suspension to each offense, if a person under 21 is in the vehicle.	<u>No</u> Work restricted license available.
Person Between 21 yrs. and 25 yrs of age who takes the Sobriety Test [0.04 to 0.079]	90 day license suspension	18 month license suspension	4 year license suspension	4 year license suspension	Add 275 day license suspension to each offense, if a person under 21 is in the vehicle.	Work restricted license available immediately after any offense. Full restoration of license when suspension is served and DEEP requirements met.

PERPETRATOR	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE +	ADDITIONAL PENALTY	COMMENTS
Person Between 21 yrs. and 25 yrs. of age who <u>refuses</u> to take the Sobriety Test [0.04 - 0.0791].	275 day license suspension	18 month license suspension	4 year license suspension	4 year license suspension	Add 275 day license suspension to each offense, if a person under 21 is in the vehicle.	
Adult 21 yrs or older who takes the sobriety test (0.08+)	90 day license suspension	18 month license suspension	4 yr license suspension	6 yr. license suspension	Add 275 day license suspension to each offense if a person under 21 is in the vehicle	Work restricted license available immediately for 1st offense only.
Adult 21 yrs or older who <u>refuses</u> the sobriety test (0.08+)	275 day license suspension	18 month license suspension	4 year suspension	6 year suspension	Add 275 day license suspension to each offense if a person under 21 was in vehicle	Work restricted license available after 180 days, if DEEP requirements are met.
Commercial vehicle licensee (0.04 or +) who takes the Sobriety Test	1 yr. commercial vehicle license suspension; Except 3 yr. suspension if hazardous materials are involved	Lifetime loss of commercial vehicle license			Add 275 day license suspension to the penalty if a person under 21 yrs. of age is in the vehicle	No work restricted license available
Commercial vehicle licensee (0.04 or +) who <u>refuses</u> to take the Sobriety Test.	1 yr suspension of commercial vehicle license - Except 3yr. suspension if hazardous materials are involved.	lifetime loss of commercial vehicle license			Add 275 day license suspension to the penalty if a person under 21 yrs. of age is in the vehicle	No work restricted license available

PERPETRATOR	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE +	ADDITIONAL PENALTY	COMMENTS
Conditional Licensee (Person with prior OUI - "0" tolerance)	1 year license suspension	1 year license suspension	1 year license suspension	1 year license suspension	Add 275 day license suspension to each offense if a person under 21 was in vehicle	No work restricted license available
Conditional Licensee who <i>refuses</i> to take the Sobriety Test.	2 year license suspension	2 year license suspension	2 year license suspension	2 year license suspension	Add 275 day license suspension to each offense if a person under 21 was in vehicle	No work restricted license available

OUI PENALTIES

CURRENT LAW

**Criminal (Court) OUI Convictions
 (No Administrative Suspension by Secretary of State)**

Adults, 21 Years of Age or Older (0.08+)

OFFENSE NUMBER	LENGTH OF LICENSE SUSPENSION	JAIL TIME	AMOUNT OF FINE	ADDITIONAL PENALTIES	COMMENTS
First Offense	90 days	0	\$400.00	Add 275 days to license suspension if a person under 21 is in the vehicle.	Work restricted license available for first offense only - only after 2/3 of suspension period has been served and DEEP requirements are met.
First Offense - Aggravating Offense	90 days	48 hours	\$400.00	Add 275 days to license suspension if a person under 21 is in the vehicle.	Same as above
First Offense - Refusal to take test	90 days	96 hours	\$500.00	Add 275 days to license suspension if a person under 21 is in the vehicle	Same as above
Second Offense	18 months	7 days	\$600.00	Add 275 days to license suspension if a person under 21 is in the vehicle	
Second Offense-Refusal to take test	18 months	12 days	\$800.00	Add 275 days to license suspension if a person under 21 is in the vehicle	

OFFENSE NUMBER	LENGTH OF LICENSE SUSPENSION	JAIL TIME	AMOUNT OF FINE	ADDITIONAL PENALTIES	COMMENTS
Third Offense	4 years	30 days	\$1,000.00	Add 275 days to license suspension if a person under 21 is in the vehicle	
Third Offense - Refusal to take test	4 years	40 days	\$1,300.00	Add 275 days to license suspension if a person under 21 is in the vehicle	
Fourth Offense- Subsequent Offenses	6 years	6 months	\$2,000.00	Add 275 days to license suspension if a person under 21 is in the vehicle	
Fourth Offense- Subsequent Offenses Refusal to take Sobriety Test	6 years	6 months + 20 days	\$2,400.00	Add 275 days to license suspension if a person under 21 is in the vehicle	
Serious Bodily Injury	6 years	6 months	\$2,000.00	Add 275 days to license suspension if a person under 21 is in the vehicle	
<p>1. Aggravating Offense is defined as: A) a blood alcohol level of 0.15 or more; B) Criminal speeding (30 mph or more); C) Eluding a police officer; and D) Operation of a vehicle with a person under 21 yrs of age , while the driver is intoxicated.</p>					

OUI PENALTIES

CURRENT LAW

**Criminal (Court) OUI Convictions
(No Administrative Suspension by Secretary of State)**

Persons Under 21 Years of Age (BAC of 0.08 or + Or OUI)

OFFENSE NUMBER	LENGTH OF LICENSE SUSPENSION	JAIL TIME	AMOUNT OF FINE	ADDITIONAL PENALTIES	COMMENTS
First Offense	1 year	0	\$400.00	Add 180 days license suspension for each offense if a passenger under 21 yrs of age is in the vehicle.	Work restricted license available for first offense only - after 1/2 of suspension period has been served and DEEP requirements are met.
First Offense - Aggravating Offense	1 year	48 hours	\$400.00	Same as above	Same as Above
First Offense - Refusal to take test	1 year	96 hours	\$500.00	Same as above	Same as Above
Second Offense	2 years	7 days	\$600.00	Same as above	
Second Offense-Refusal to take test	2 years	12 days	\$800.00	Same as above	
Third Offense	4 years	30 days	\$1,000.00	Same as above	
Third Offense - Refusal to take test	4 years	40 days	\$1,300.00	Same as above	
Fourth Offense-Subsequent Offenses	6 years	6 months	\$2,000.00	Same as above	

OFFENSE NUMBER	LENGTH OF LICENSE SUSPENSION	JAIL TIME	AMOUNT OF FINE	ADDITIONAL PENALTIES	COMMENTS
Fourth Offense- Subsequent Offenses Refusal to take Sobriety Test	6 years	6 months + 20 days	\$2,400.00	Add 180 days license suspension for each offense if a passenger under 21 yrs of age is in the vehicle.	
Serious Bodily Injury	6 years	6 months	\$2,000.00	Same as above.	
<p>1. Aggravating Offense is defined as: A) a blood alcohol level of 0.15 or more; B) Criminal speeding (30 mph or more); C) E Eluding a police officer; and D) Operation of a vehicle with a person under 21 yrs of age, while the driver is intoxicated.</p>					