

## Penalties Pursuant to the New DUI Laws\*

\*Underlined penalties are mandatory.

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