

**10TH JUDICIAL DISTRICT OWI GUIDELINES - Effective for offenses on or after January 1, 2017**

Approved By: Chief Judge Scott Needham (updated 1/23/17)

**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**

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.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, incldg.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**

<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	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**

**BAC LEVEL**

**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**

BAC LEVEL

Minimum Driving - No Accident

Aggravated Driving - Accident or Injury; Bad Driving Record

.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
<b>Enhancer</b>	Costs	\$163.00		Costs	\$163.00
.20-.249= fine X 3	Penalty surcharge	\$624.00		Penalty surcharge	\$650.00
	Crime Lab surcharge	\$13.00		Crime Lab surcharge	\$13.00
.25 & over= fine X 4	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
		<u>\$4,026.00</u>			<u>\$4,153.00</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.

**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)

**REVOCATION:** 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**

<u>BAC LEVEL</u>	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:** For violations of 346.63(5), penalty - 346.65(2j)(am)2  
**COMMERCIAL**  
**MOTOR VEHICLE**

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
		<u>\$1,437.00</u>		<u>\$1,500.00</u>
		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
		<u>\$1,500.00</u>		<u>\$1,563.00</u>
		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

REVOCACTION: 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**

BAC LEVEL

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

REVOCACTION: 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
		<u>\$1,752.00</u>		<u>\$1,815.00</u>
		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
		<u>\$1,815.00</u>		<u>\$1,878.00</u>
		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

REVOCACTION: 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.