

DUI Sentencing Guidelines - Felonies

Crime	Jail	Mandatory Minimum Fine	Other Terms
<p>Agg. DUI (C6F) (Child in the Car Under 15, License status OK otherwise) §28-1383(A)(3)</p> <p>&</p> <p>DUI w/ Certified Ignition Interlock Restriction on License (C6F) - if basis is that D refused to submit to blood/breath/urine test §28-1383(A)(4)(a)</p>	<p>Jail Time Pursuant to Applicable Misdemeanor Statute</p> <p>* There is no language in the statute that addresses prison/jail sentences for DUI w/ Certified Ignition Interlock Restriction on License.</p>	<p>\$750 + Surcharge* Fine (Eff. 3/14/04) \$250 DUI Abatement Fund (Eff. 12/1/98) \$1500 Prison Fund (Eff. 3/14/04) \$1500 DPS Fund (Eff. 8/12/05-2/1/06; 9/21/06 – Pres.) \$20 Time Payment Fee \$5 Probation Surcharge (Eff. 8/22/02) \$10 Probation Surcharge (Eff. 9/21/06) \$20 Probation Surcharge (Eff. 7/1/08)</p>	<p>-Up to 10 years probation -Mandatory Alcohol Screening/Education -Failure to comply with treatment may result in up to 1 year (in 4 month increments) in jail – this time shall not count if probation is revoked and Defendant is sent to prison -Possible Community Service -Possible Vehicle Forfeiture</p> <p>-MVD License Revocation for 3 Years (Before 2/1/06) -\$75 Reinstatement Fee -SR 22 Insurance</p> <p>-Special Ignition Interlock Restricted Drivers License after 90 days Suspension (Eff. 2/1/06) -Install/Maintenance Costs -Certificate of Compliance every 90 days</p>
<p>Agg. DUI (C4F) (Driver's License Suspended/Cancelled/Revoked- §28-1383(A)(1), 3rd DUI Conviction within 60/84 Months-§28-1383(A)(2))**</p> <p>&</p> <p>DUI w/ Certified Ignition Interlock Restriction on License (C6F)-if basis is that D commits a new DUI. §28-1383(A)(4)(b)</p>	<p>4 Months DOC</p> <p>(May Qualify for 4 Months Jail and Work Furlough for an Endangment/C1M DUI Combo Deal from the MCAO)</p> <p>* There is no language in the statute that addresses prison/jail sentences for DUI w/ Certified Ignition Interlock Restriction on License.</p>	<p>\$750 + Surcharge* Fine (Eff. 3/14/04) \$250 DUI Abatement Fund (Eff. 12/1/98) \$1500 Prison Fund (Eff. 3/14/04) \$1500 DPS Fund (Eff. 8/12/05-2/1/06; 9/21/06 – Pres.) \$20 Time Payment Fee \$5 Probation Surcharge (Eff. 8/22/02) \$10 Probation Surcharge (Eff. 9/21/06) \$20 Probation Surcharge (Eff. 7/1/08)</p>	<p>-Up to 10 years probation -Mandatory Alcohol Screening/Education -Failure to comply with treatment may result in up to 1 year (in 4 month increments) in jail – this time shall not count if probation is revoked and Defendant is sent to prison -Possible Community Service -Possible Vehicle Forfeiture</p> <p>-MVD License Revocation for 3 Years -\$75 Reinstatement Fee -SR 22 Insurance</p> <p>-Ignition Interlock Device for 12/24 Months after revocation.(24 months eff. 1/1/09) -Install/Maintenance Costs -Certificate of Compliance every 90 days</p>
<p>Agg. DUI (C4F) (Driver's License Suspended/Cancelled/Revoked- §28-1383(A)(2))</p> <p>(if three or more prior DUI Convictions within 60/84 Months)**</p>	<p>8 Months DOC</p>	<p>\$750 + Surcharge* Fine (Eff. 3/14/04) \$250 DUI Abatement Fund (Eff. 12/1/98) \$1500 Prison Fund (Eff. 3/14/04) \$1500 DPS Fund (Eff. 8/12/05-2/1/06; 9/21/06 – Pres.) \$20 Time Payment Fee \$5 Probation Surcharge (Eff. 8/22/02) \$10 Probation Surcharge (Eff. 9/21/06) \$20 Probation Surcharge (Eff. 7/1/08)</p>	<p>-Up to 10 years probation -Mandatory Alcohol Screening/Education -Failure to comply with treatment may result in up to 1 year (in 8 month increments) in jail – this time shall not count if probation is revoked and Defendant is sent to prison -Possible Community Service -Possible Vehicle Forfeiture</p> <p>-MVD License Revocation for 3 Years -\$75 Reinstatement Fee -SR 22 Insurance</p> <p>-Ignition Interlock Device for 12/24 Months after revocation.(24 months eff. 1/1/09) -Install/Maintenance Costs -Certificate of Compliance every 90 days</p>

***Surcharges:**

7/27/84 – 9/30/90 – 37%
9/1/96 – 2/17/99 – 60%
9/19/07 – Present – 84%

10/1/90 – 12/31/93 – 40%
2/18/99 – 8/31/99 – 70%

1/1/94 – 8/31/95 – 57%
9/1/99 – 8/22/02 – 77%

9/1/95 – 8/31/96 – 59%
8/23/02 – 9/21/07 – 80%

**Prior DUI's within 84 Months-Effective 9/21/2006