

DUI Sentencing Guidelines - Misdemeanors

Crime	Jail	Mandatory Minimum Fine	Other Terms
DUI (CIM) – 1 st §28-1381	-10 days (9 May be Suspended)(24 hours must be consecutive before eligible for release to work)	\$250 + Surcharge* Fine \$500 Prison Fund (Eff. 3/14/04) \$500 DPS Fund (Eff. 8/12/06) \$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)	-Up to 5 years probation -Mandatory Alcohol Screening/Education -Possible Community Service -Reimbursement for Jail Incarceration Costs -MVD License Suspension 90 days -30 day flat/60 Restricted (Work/School) -\$75 Reinstatement Fee -SR 22 Insurance -Ignition Interlock Device for 12 Months after suspension. (Eff. 9/19/07) -Install/Maintenance Costs -Certificate of Compliance every 90 days
DUI (CIM) – 2 nd (Within 60/84 months of a DUI Conviction)** §28-1381	-90 days (60 may be suspended)(48 hours must be consecutive before eligible for release to work)	\$500 + Surcharge* Fine \$1250 Prison Fund (Eff. 3/14/04) \$1250 DPS Fund (Eff. 8/12/06) \$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)	-Up to 5 years probation -Mandatory Alcohol Screening/Education -Not less than 30 hours of Community Service -Reimbursement for Jail Incarceration Costs -MVD License Revocation for 1 Year -\$75 Reinstatement Fee -SR 22 Insurance -Ignition Interlock Device for 12 Months after revocation. -Install/Maintenance Costs -Certificate of Compliance every 90 days
Extreme DUI w/ BAC .15 - .20 (CIM) – 1 st §28-1382	-30 days (20 may be suspended) -30 consecutive days (Eff. 9/26/08) (48 hours must be consecutive before eligible for release to work)	\$250 + Surcharge* Fine \$250 DUI Abatement Fee (Eff. 12/1/98) \$1000 Prison Fund (Eff. 3/14/04) \$1000 DPS Fund (Eff. 8/12/06) \$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)	-Up to 5 years probation -Mandatory Alcohol Screening/Education -Possible Community Service -Reimbursement for Jail Incarceration Costs -Continuous Alcohol Monitoring for 30 days. -MVD License Revocation for 90 days -30 day flat/60 Restricted (Work/School) -\$75 Reinstatement Fee -SR 22 Insurance -Ignition Interlock Device for 12 Months after revocation -Install/Maintenance Costs -Certificate of Compliance every 90 days
Extreme DUI w/ BAC .20+ (CIM) – 1 st §28-1382 (Eff. 9/19/07)	- 45 consecutive days	\$500 + Surcharge* Fine Same as Extreme DUI w/ BAC .15 - .20	Same as Extreme DUI w/BAC .15-.20 except: -Ignition Interlock Device for 18 Months after revocation.
Extreme DUI w/ BAC .15 - .20(CIM) – 2 nd (Within 60/84 months of 1 st Extreme)** §28-1382	-120 days (60 must be consecutive)(48 hours must be consecutive before eligible for release to work)	\$500 + Surcharge* Fine \$250 DUI Abatement Fee (Eff. 12/1/98) \$1250 Prison Fund (Eff. 3/14/04) \$1250 DPS Fund (Eff. 8/12/06) \$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)	-Up to 5 years probation -Mandatory Alcohol Screening/Education -Not less than 30 hours Community Service -Reimbursement for Jail Incarceration Costs - Continuous Alcohol Monitoring for 90 days -MVD License Revocation for 1 Year -\$75 Reinstatement Fee -SR 22 Insurance -Ignition Interlock Device for 12 Months after revocation. -Install/Maintenance Costs -Certificate of Compliance every 90 days
Extreme DUI w/ BAC .20+ (CIM) – 2 nd (Within 60/84 months of 1 st Extreme)** §28-1382 (Eff. 9/19/07)	-180 days (90 must be consecutive)(48 hours must be consecutive before eligible for release to work)	\$1,000 + Surcharge* Fine Same as Extreme DUI w/ BAC .20+	Same as Extreme DUI w/BAC .20+ except: -Ignition Interlock Device for 24 Months after revocation.