

4TH JUDICIAL DISTRICT OWI GUIDELINES - EFF. DECEMBER 31, 2005

FIRST OFFENSE

(for violations of 346.63(1)(am) or (b), penalty - 346.65(2)(a))

FORFEITURE: \$150 TO \$300 (plus surcharges and costs, except for a violation with minimum BAC. No alcohol assessment with minimum BAC level.

REVOCAATION: 6 - 9 MONTHS (no waiting; s.343.30(1q)(b)2.)

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record
.08 to less than .10	Forfeiture \$250.00 6 month revocation		Forfeiture \$275.00 7 month revocation
.10 to .15 Restricted Controlled Substance	Forfeiture \$175.00 Driver surcharge \$355.00 Costs \$25.00 Court support surcharge \$68.00 Penalty surcharge \$45.50 Justice Info. surcharge \$12.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 \$698.50 6 month revocation		Forfeiture \$200.00 Driver surcharge \$355.00 Costs \$25.00 Court support surcharge \$68.00 Penalty surcharge \$52.00 Justice Info. surcharge \$12.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 \$730.00 7 month revocation
.16 to .22	Forfeiture \$200.00 Driver surcharge \$355.00 Costs \$25.00 Court support surcharge \$68.00 Penalty surcharge \$52.00 Justice Info. surcharge \$12.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 \$730.00 7 month revocation		Forfeiture \$250.00 Driver surcharge \$355.00 Costs \$25.00 Court support surcharge \$68.00 Penalty surcharge \$65.00 Justice Info. surcharge \$12.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 \$793.00 8 month revocation
Refusal .23 & Above	Forfeiture \$250.00 Driver surcharge \$355.00 Costs \$25.00 Court support surcharge \$68.00 Penalty surcharge \$65.00 Justice Info. surcharge \$12.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 \$793.00 8 month revocation/ Refusal 12 mon. revoc.		Forfeiture \$300.00 Driver surcharge \$355.00 Costs \$25.00 Court support surcharge \$68.00 Penalty surcharge \$78.00 Justice Info. surcharge \$12.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 \$856.00 9 month revocation / Refusal 12 mon. revoc.

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: SECOND OFFENSE

(for violations of 346.63(1)(am) or (b), penalty - 346.65(2)(b))

December 31, 2005

JAIL: 5 DAYS - 6 MONTHS (minimum 48 consec. Hours in jail)
FINE: \$350 - \$1100
REVOCAATION: 12 - 18 MONTHS (s.343.30(1q)(b)3.)

Note: Ign. Interlock (343.301(1)(a)2) or immobilization (343.301(2)(a)2) is discretionary unless there is a 2nd Conviction within a 5 yr. Period.

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record	
.15 & Below Restricted Controlled Substance	Fine	\$350.00	Fine	\$400.00
	Driver surcharge	\$355.00	Driver surcharge	\$355.00
	Costs	\$20.00	Costs	\$20.00
	Penalty surcharge	\$91.00	Penalty surcharge	\$104.00
	Crime Lab surcharge	\$8.00	Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00	Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
		<u>\$894.00</u>		<u>\$957.00</u>
	5 days jail - 12 mon. revocation		10 days jail - 14 mon. revocation	
.16 to .22	Fine	\$400.00	Fine	\$500.00
	Driver surcharge	\$355.00	Driver surcharge	\$355.00
	Costs	\$20.00	Costs	\$20.00
	Penalty surcharge	\$104.00	Penalty surcharge	\$130.00
	Crime Lab surcharge	\$8.00	Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00	Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
		<u>\$957.00</u>		<u>\$1,083.00</u>
	20 days jail - 14 mon. revocation		30 days jail - 16 mon. revocation	
Refusal .23 & above	Fine	\$500.00	Fine	\$600.00
	Driver surcharge	\$355.00	Driver surcharge	\$355.00
	Costs	\$20.00	Costs	\$20.00
	Penalty surcharge	\$130.00	Penalty surcharge	\$156.00
	Crime Lab surcharge	\$8.00	Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00	Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00	Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00	Jail surcharge	\$10.00
		<u>\$1,083.00</u>		<u>\$1,209.00</u>
	30 days jail - 16 mon. revocation		40 days jail - 18 mon. revocation	

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: THIRD OFFENSE

(for violations of 346.63(1)(am) or (b), penalty - 346.65(2)(c))

December 31, 2005

JAIL: 30 DAYS - 12 MONTHS (minimum 48 consec. Hours in jail)
FINE: \$600 - \$2000
REVOCAATION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

Note: Ign. Interlock (343.301(1)(a)2) or immobilization (343.301(2)(a)2) is mandatory if there are 2 or more convictions within a 5 yr. Period, and vehicle seizure/forfeiture is discretionary (346.65(6)(a)1).

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record		
.15 & Below Restricted Controlled Substance	Fine	\$600.00		Fine	\$750.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$156.00		Penalty surcharge	\$195.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
		<u>\$1,209.00</u>			<u>\$1,398.00</u>
	30 days jail - 24 mon. revocation		45 days jail - 28 mon. revocation		
.16 to .22 Enhancer .17-.199=fine X 2 .20-.249=fine X 3	Fine	\$750.00		Fine	\$900.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$195.00		Penalty surcharge	\$234.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
		<u>\$1,398.00</u>			<u>\$1,587.00</u>
	60 days jail - 28 mon. revocation		75 days jail - 32 mon. revocation		
Refusal .23 & above Enhancer .20-.249= fine X 3 .25 & over= fine X 4	Fine	\$900.00		Fine	\$1,050.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$234.00		Penalty surcharge	\$273.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.50
		<u>\$1,587.00</u>			<u>\$1,776.50</u>
	90 days jail - 32 mon. revocation		120 days jail - 36 mon. revocation		

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: FOURTH OFFENSE

(for violations of 346.63(1)(am) or (b), penalty - 346.65(2)(d))

December 31, 2005

JAIL: 60 DAYS - 12 MONTHS (minimum 48 consec. hours in jail)
FINE: \$600 - \$2000
REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

Note: Ign. Interlock (343.301(1)(a)2) or immobilization (343.301(2)(a)2) is mandatory if there are 2 or more convictions within a 5 yr. Period, and vehicle seizure/forfeiture is discretionary (346.65(6)(a)1).

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record		
.15 & Below Restricted Controlled Substance	Fine	\$800.00		Fine	\$900.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$208.00		Penalty surcharge	\$234.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
		\$1,461.00			\$1,587.00
	75 days jail - 24 mon. revocation		100 days jail - 28 mon. revocation		
.16 to .22 Enhancer .17-.199= fine X 2 .20-.249= fine X 3	Fine	\$900.00		Fine	\$1,050.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$234.00		Penalty surcharge	\$273.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.50
		\$1,587.00			\$1,776.50
	150 days jail - 28 mon. revocation		175 days jail - 32 mon. revocation		
Refusal .23 & above Enhancer .20-.249= fine X 3 .25 & over= fine X 4	Fine	\$1,050.00		Fine	\$1,200.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$273.00		Penalty surcharge	\$312.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.50		Jail surcharge	\$12.00
		\$1,776.50			\$1,967.00
	200 days jail - 32 mon. revocation		225 days jail - 36 mon. revocation		

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: FIFTH OFFENSE

December 31, 2005

(for violations of 346.63(1)(am) or (b), penalty - 346.65(2)(e), 939.50(3)(h))

JAIL/PRISON: 6 MONTHS - 6 YEARS (min. 48 consec. Hrs. in jail)

FINE: \$600 - \$10,000

REVOCAION: 24 - 36 MONTHS (s.343.30(1q)(b)4.)

Note: Ign. Interlock (343.301(1)(a)2) or immobilization (343.301(2)(a)2) is mandatory if there are 2 or more convictions within a 5 yr. Period, and vehicle seizure/forfeiture is discretionary (346.65(6)(a)1).

Length of incarceration at the discretion of the court.

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident			Aggravated Driving - Accident or Injury; Bad Driving Record	
.15 & Below Restricted Controlled Substance	Fine	\$1,000.00		Fine	\$1,100.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$260.00		Penalty surcharge	\$286.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$65.00		Victim/Witness surcharge A	\$65.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$10.00		Jail surcharge	\$11.00
		\$1,738.00			\$1,865.00
	24 mon. revocation, incar. at disc. of Court			28 mon. revocation, incar. at disc. of Court	
.16 to .22 Enhancer .17-.199= fine X 2 .20-.249= fine X 3	Fine	\$1,100.00		Fine	\$1,200.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$286.00		Penalty surcharge	\$312.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$65.00		Victim/Witness surcharge A	\$65.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$11.00		Jail surcharge	\$12.00
		\$1,865.00			\$1,992.00
	28 mon. revocation, incar. at disc. of Court			32 mon. revocation, incar. at disc. of Court	
Refusal .23 & above Enhancer .20-.249= fine X 3 .25 & over= fine X 4	Fine	\$1,300.00		Fine	\$1,400.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$338.00		Penalty surcharge	\$364.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$65.00		Victim/Witness surcharge A	\$65.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Jail surcharge	\$13.00		Jail surcharge	\$14.00
		\$2,119.00			\$2,246.00
	32 mon. revocation, incar. at disc. of Court			36 month revoc.; incar. At disc. of Court	

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

COMMERCIAL VEHICLES

4TH JUDICIAL DISTRICT OWI GUIDELINES - EFF. DECEMBER 31, 2005

4TH DISTRICT: FIRST OFFENSE

(for violations of 346.63(1)(am) or (b) & 346.63(5)(a), penalty - 346.65(2)(a) & 346.65(2j)(a))

December 31, 2005

FORFEITURE: \$150 TO \$300
SUSPENSION-REVOCAION: Suspension not mandatory with commercial BAC of .04 to less than .08 (343.30(1)).
 Mandatory revocation of 6-9 months with BAC of .08 or greater (343.30(1q)(b)2).

DRIVING FACTORS

<u>BAC LEVEL</u>	<u>Minimum Driving - No Accident</u>			<u>Aggravated Driving - Accident or Injury; Bad Driving Record</u>	
.04 to less than .08	Forfeiture	\$150.00		Forfeiture	\$200.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	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	\$12.00		Justice Info. surcharge	\$12.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	6 month suspension	\$675.00		7 month suspension	\$738.00
.08 to less than .10	Forfeiture	\$250.00		Forfeiture	\$275.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	6 month revocation	\$258.00		7 month revocation	\$283.00
.10 to .15 Restricted Controlled Substance	Forfeiture	\$200.00		Forfeiture	\$250.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	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	\$12.00		Justice Info. surcharge	\$12.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	7 month revocation	\$738.00		8 month revocation	\$801.00
Above .15	Forfeiture	\$250.00		Forfeiture	\$300.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	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	\$12.00		Justice Info. surcharge	\$12.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	8 month revocation	\$801.00		9 month revocation	\$864.00

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: SECOND OFFENSE - COMMERCIAL

December 31, 2005

(for violations of 346.63(1)(am) or (b) & 346.63(5)(a))

(penalty - 346.65(2)(b) & 346.65(2j)(b))

JAIL: 5 DAYS - 6 MONTHS
FINE: \$350 - \$1000 (commercial, BAC of .04 to less than .08)
 \$350 - \$1100 (non-commercial, BAC of .08 or greater)
SUSPENSION/REVOCAION: Suspension not mandatory with commercial BAC of .04 to less than .08 (343.30(1)).
 Mandatory revocation of 12 - 18 months with BAC of .08 or greater (343.30(1q)(b)3).

DRIVING FACTORS

<u>BAC LEVEL</u>	<u>Minimum Driving - No Accident</u>			<u>Aggravated Driving - Accident or Injury; Bad Driving Record</u>	
.04 to less than .08	Fine	\$300.00		Fine	\$400.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$78.00		Penalty surcharge	\$104.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	5 days jail - 12 mon. suspension	\$839.00		10 days jail - 12 mon. suspension	\$965.00
.08 to .15 Restricted Controlled Substance	Fine	\$400.00		Fine	\$500.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$104.00		Penalty surcharge	\$130.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	20 days jail - 12 mon. revocation	\$965.00		30 days jail - 14 mon. revocation	\$1,091.00
Above .15	Fine	\$500.00		Fine	\$600.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$130.00		Penalty surcharge	\$156.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	30 days jail - 14 mon. revocation	\$1,091.00		40 days jail - 16 mon. revocation	\$1,217.00

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: THIRD OFFENSE - COMMERCIAL

December 31, 2005

(for violations of 346.63(1)(am) or (b) & 346.63(5)(a))

(penalty - 346.65(2)(c) & 346.65(2)(j)(c))

JAIL: 30 DAYS - 12 MONTHS
FINE: \$600 - \$2000
SUSPENSION/REVOCAION: Suspension not mandatory with commercial BAC of .04 to less than .08 (343.30(1)).
 Mandatory revocation of 24 - 36 months with BAC of .08 or greater (343.30(1q)(b)4).

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record		
.04 to less than .08	Fine	\$600.00		Fine	\$750.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$156.00		Penalty surcharge	\$195.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	30 days jail - 12 month susp.	\$1,217.00		45 days jail - 12 month susp.	\$1,406.00
.08 to .15 Restricted Controlled Substance	Fine	\$750.00		Fine	\$900.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$195.00		Penalty surcharge	\$234.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	60 days jail - 24 month revoc.	\$1,406.00		75 days jail - 28 month revoc.	\$1,595.00
Above .15	Fine	\$900.00		Fine	\$1,050.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$234.00		Penalty surcharge	\$273.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.50
	90 days jail - 28 month revoc.	\$1,595.00		120 days jail - 32 month revoc.	\$1,784.50

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: FOURTH OFFENSE - COMMERCIAL

December 31, 2005

(for violations of 346.63(1)(am) or (b) & 346.63(5)(a))

(penalty - 346.65(2)(d) & 346.65(2)(c))

JAIL: 30 DAYS - 12 MONTHS (commercial: BAC of .04 to less than .08)

60 DAYS - 12 MONTHS (non-commercial: BAC of .08 or greater)

FINE: \$600 - \$2000

SUSPENSION/REVOCAION: Suspension not mandatory with commercial BAC of .04 to less than .08 (343.30(1)).

Mandatory revocation of 24 - 36 months with BAC of .08 or greater (343.30(1q)(b)4).

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record		
.04 to less than .08	Fine	\$750.00		Fine	\$900.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$195.00		Penalty surcharge	\$234.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	75 days jail - 12 month susp.	\$1,406.00		100 days jail - 12 month susp.	\$1,595.00
.08 to .15 Restricted Controlled Substance	Fine	\$900.00		Fine	\$1,050.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$234.00		Penalty surcharge	\$273.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.50
	150 days jail - 24 month revoc.	\$1,595.00		175 days jail - 28 month revoc.	\$1,784.50
Above .15	Fine	\$1,050.00		Fine	\$1,200.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$273.00		Penalty surcharge	\$312.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.50		Jail surcharge	\$12.00
	200 days jail - 28 month revoc.	\$1,784.50		225 days jail - 32 month revoc.	\$1,975.00

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH DISTRICT: FIFTH OFFENSE - COMMERCIAL

December 31, 2005

(for violations of 346.63(1)(am) or (b) & 346.63(5)(a))

(penalty - 346.65(2)(e) & 346.65(2)(c))

JAIL/PRISON

30 DAYS - 12 MONTHS (commercial: BAC of .04 to less than .08)

6 MONTHS - 6 YEARS (non-commercial: BAC of .08 or greater)

FINE:

\$600 - \$2000 (commercial: BAC .04 to less than .08)

\$600 - \$10,000 (non-commercial: BAC of .08 or greater)

SUSPENSION/REVOCAION:

Suspension not mandatory with commercial BAC of .04 to less than .08 (343.30(1)).

Mandatory revocation of 24 - 36 months with BAC of .08 or greater (343.30(1q)(b)4).

Length of Incarceration at the discretion of the court.

DRIVING FACTORS

<u>BAC LEVEL</u>	<u>Minimum Driving - No Accident</u>			<u>Aggravated Driving - Accident or Injury; Bad Driving Record</u>	
.04 to less than .08	Fine	\$900.00		Fine	\$1,050.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$234.00		Penalty surcharge	\$273.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.50
	Jail time disc. - 12 month susp.	\$1,595.00		Jail time disc. - 12 month susp.	\$1,784.50
.08 to .15 Restricted Controlled Substance	Fine	\$1,050.00		Fine	\$1,200.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$273.00		Penalty surcharge	\$312.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$10.50		Jail surcharge	\$12.00
	Jail time disc. - 24 month revoc.	\$1,784.50		Jail time disc. - 28 month revoc.	\$1,975.00
Above .15	Fine	\$1,200.00		Fine	\$1,350.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$20.00		Costs	\$20.00
	Penalty surcharge	\$312.00		Penalty surcharge	\$351.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Victim/Witness surcharge A	\$40.00		Victim/Witness surcharge A	\$40.00
	Victim/Witness surcharge B	\$20.00		Victim/Witness surcharge B	\$20.00
	Truck driver surcharge	\$8.00		Truck driver surcharge	\$8.00
	Jail surcharge	\$12.00		Jail surcharge	\$13.50
	Jail time disc. - 28 month revoc.	\$1,975.00		Jail time disc. - 32 month revoc.	\$2,165.50

FACTORS:

Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH JUDICIAL DISTRICT OWI GUIDELINES - DECEMBER 31, 2005

MUNICIPAL COURT

FIRST OFFENSE

(for violations of 346.63(1)(am) or (b); penalty 346.65(2)(a))

FORFEITURE: \$150 TO \$300

REVOCAION: 6 - 9 MONTHS (no waiting)

ALCOHOL ASSESSMENT Surrender driver's license. The court may order a reduction in court costs, fine or forfeiture so an offender is able to pay the difference for an alcohol assessment and driver safety plan (346.65(2e). No alcohol assessment with minimum .08 to less than .10 BAC level.

DRIVING FACTORS

<u>BAC LEVEL</u>	Minimum Driving - No Accident		Aggravated Driving - Accident or Injury; Bad Driving Record
.08 to less than .10	Forfeiture \$250.00 6 month revocation		Forfeiture \$275.00 7 month revocation
.10 to .15 Restricted Controlled Substance	Forfeiture \$175.00 Driver surcharge \$355.00 Costs \$15 to 23 Penalty surcharge \$45.50 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 6 month revocation		Forfeiture \$200.00 Driver surcharge \$355.00 Costs \$15 to 23 Penalty surcharge \$52.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 7 month revocation
.16 to .22	Forfeiture \$200.00 Driver surcharge \$355.00 Costs \$15 to 23 Penalty surcharge \$52.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 7 month revocation		Forfeiture \$250.00 Driver surcharge \$355.00 Costs \$15 to 23 Penalty surcharge \$65.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 8 month revocation
Refusal .23 & above	Forfeiture \$250.00 Driver surcharge \$355.00 Costs \$15 to 23 Penalty surcharge \$65.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 8 month revocation		Forfeiture \$300.00 Driver surcharge \$355.00 Costs \$15 to 23 Penalty surcharge \$78.00 Crime Lab surcharge \$8.00 Jail surcharge \$10.00 9 month revocation

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.

4TH JUDICIAL DISTRICT OWI GUIDELINES - DECEMBER 31, 2005

COMMERCIAL VEHICLES

MUNICIPAL COURT

FIRST OFFENSE

(for violations of 346.63(1)(am) or (b) & 346.63(5)(a), penalty 346.65(2)(a) & 346.65(2j)(a))

FORFEITURE: \$150 TO \$300 (plus surcharges and costs, except for a violation with minimum BAC).

SUSPENSION/REVOCAION: Suspension not mandatory with BAC of .04 to less than .08 (343.30(1)).

Mandatory revocation of 6-9 months with BAC of .08 or greater (343.30(1q)(b)2). No alcohol assessment with .08 to less than .10 BAC level.

DRIVING FACTORS

<u>BAC LEVEL</u>	<u>Minimum Driving - No Accident</u>		<u>Aggravated Driving - Accident or Injury; Bad Driving Record</u>		
.04 to less than .08	Forfeiture	\$150.00		Forfeiture	\$200.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$15 to 23		Costs	\$15 to 23
	Penalty surcharge	\$39.00		Penalty surcharge	\$52.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	6 month suspension			7 month suspension	
.08 to less than .10	Forfeiture	\$250.00		Forfeiture	\$275.00
	6 month revocation			7 month revocation	
.10 to .15 Restricted Controlled Substance	Forfeiture	\$200.00		Forfeiture	\$250.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$15 to 23		Costs	\$15 to 23
	Penalty surcharge	\$52.00		Penalty surcharge	\$65.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	7 month revocation			8 month revocation	
Above .15	Forfeiture	\$250.00		Forfeiture	\$300.00
	Driver surcharge	\$355.00		Driver surcharge	\$355.00
	Costs	\$15 to 23		Costs	\$15 to 23
	Penalty surcharge	\$65.00		Penalty surcharge	\$78.00
	Crime Lab surcharge	\$8.00		Crime Lab surcharge	\$8.00
	Jail surcharge	\$10.00		Jail surcharge	\$10.00
	8 month revocation			9 month revocation	

FACTORS: Ability to pay, Def. Conduct since offense, incldg. Assessment and Dr. Plan bef. Conviction, consequences, cooperation, pros. Recomdatn.