

Effective Date

9th Judicial District

Effective Date

OWI PAC	1st Offense			2nd Offense			3rd Offense			4th Offense			5th Offense & >		
	OWI	PAC	Lic	Fine	Jail	Lic	Fine	Jail	Lic	Fine	Jail	Lic	No Guideln--Min/Max Only		
<.10%	667	250	6	894	5	12	1,209	30	24	1,272	60	24	1,234	6 Mo	2 Yrs
Child < 16	856		12	1,335	10	24	1,967	60	48	2,094	90	50	(Minimum)		
.10 - <.13%	667		6	955	5	12	1,460	45	26	1,525	90	26			
Child < 16	856		12	1,461	45	26	2,475	90	50	2,602	120	52			
.13 - <.17%	700		7	1,020	10	14	1,715	60	27	1,775	135	28	Min/Max Enhanced Penalties		
Child < 16	919		14	1,587	60	28	2,983	120	52	3,110	180	54	3rd & Subsequent Offenses		
.17 - <.20%	730		8	1,115	30	16	1,965	90	29	2,220	180	30	2,220	360	36
Child < 16	982		16	1,777	90	30	3,491	180	54	3,999	240	56	5,523 Affects Fine Only		
.20 - <.25%	760		9	1,210	45	18	2,730	120	30	2,985	225	32	2,985	360	36
Child < 16	1,045		18	1,967	120	32	5,015	240	56	5,523	300	60	8,063 Affects Fine Only		
0.25%	855		9	1,305	60	18	3,490	150	32	3,745	270	34	3,745	360	36
Child < 16	1,234		18	2,539	180	34	6,539	300	58	7,047	360	64	10,603 Affects Fine Only		
Refusal	855		9	1,500	90	18	3,620	180	36	3,935	360	36	3,008	5 Yrs	3 Yrs
Child < 16	1,234		18	2,539	240	36	6,793	360	60	7,428	360	68	(Maximum)		
Controlled Subst	No Standards---Sentence Between Minimum & Maximum Based Upon Perceived Level of Impairment														
Probation License	NO			NO			NO			Probation w/2 Drop			Probation Authorized		
	2d OWI in 5 Yrs			Must Seize/Immobilize/Interlock			Must Seize/Immobilize/Interlock			Must Seize/Immobilize/Interlock			Must Seize/Immobilize/Interlock		
	ALL Vehicles			No Occupational For 1 Year			No Occupational for 1 Year			No Occupational for 1 Year			No Occupational for 1 Year		
Mitigation -->	DOWN 1 Level For Plea But If Also (1) Prior OWI > 7 Years Ago or (2) Entered or Completed Pre-Treatment Plan, DOWN 2 Levels						Aggravation -->			UP 1 or 2 Levels Depending Upon Severity for: (1) More than 1 OWI Previous 3 Years, (2) More than 2 OWI Previous 7 Years, (3) Uncharged Accident/Injury, (4) Failure to Comply with Last Treatment Plan, or (5) Other Aggravated Driving.					
Test Refusal	Assessment + 1 Yr Revc Occupational After 30 Days			Assessment + 2 Yr Revc Occup After 90 Days or 1 Yr			Assessment + 3 Yr Revc Occup After 90 Days or 1 Yr			Assessment + 3 Yr Revc Occup After 90 Days or 1 Yr			Assessment + 3 Yr Revc Occup After 90 Days or 1 Yr		
OPERATING AFTER REVOCATION															
Mitigating	315	0	0	475	0	0	600	5	2	1,105	15	6	All Are Suspensions Except 4th		
Regular	375	0	0	570	5	2	790	15	4	1,360	45	6	6 Mo Presumptive Minimum		
Aggravating	440	0	4	665	15	4	1,045	30	6	2,630	60	6	Must State Grounds For Any Lower		
Maximum	3,263	365	6	3,263	365	6	3,263	365	6	3,263	365	6	In Writing or On the Record		
Sentencing Factors	OAR 1st			Mitigating						Aggravating					
Minimums Are All 0 Fine, 0 Jail & 0 Lic Maximum = \$2,500	Effective July 28, 2005 All OAR-1st Offenses Reverted Back to a Civil Offense			(1) Not OWI Related or No Unsafe Driving Involved (2) Reinstated D.L. Before Final Hearing (3) Cooperation With Arresting Officer (4) Prior Driving Record is Good (5) History of Payment of Fines						(1) Driving Included OWI, Reckless Driving, Fleeing, H&R or Collision (2) Revoked Due to OWI, Reckless Driving, Fleeing or Hit & Run (3) Operating Vehicle >10,000 pounds (4) 3+ OAR's Disposed or Pending at Sentencing, Some Dismissed <i>Charged HTO = An Additional \$0-8,000 and/or 0-180 Days Jail</i>					
OPERATING AFTER SUSPENSION															
Minimum	186		0	186		0	186		0	186		0	All Suspensions Except		
Guidelines	186		0	186		2	186		4	186		6	4th Offense		
Maximum	375		6	375		6	375		6	375		6	Which is a REVOCATION		