

10TH JUDICIAL DISTRICT OWI GUIDELINES - EFF. January 1, 2014

Approved By: Chief Judge Scott Needham (updated 01/01/14)

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> | <u>Minimum Driving - No Accident</u> | | <u>Aggravated Driving - Accident or Injury; Bad Driving Record</u> | |
|---|--|--------------------|--|--------------------|
| .149 & Below Restricted Controlled Substance | Forfeiture | \$150.00 | Forfeiture | \$200.00 |
| | Driver surcharge | \$435.00 | Driver surcharge | \$435.00 |
| | 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>\$761.50</u> | | <u>\$824.50</u> |
| | | 6 month revocation | | 7 month revocation |
| .15 to .199 | Forfeiture | \$200.00 | Forfeiture | \$250.00 |
| | Driver surcharge | \$435.00 | Driver surcharge | \$435.00 |
| | 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>\$874.50</u> | | <u>\$937.50</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 |
| | 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>\$937.50</u> | | <u>\$1,000.50</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

| <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 |
| | 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>\$1,379.00</u> | | <u>\$1,442.00</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 |
| | 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>\$1,442.00</u> | | <u>\$1,505.00</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 |
| | 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>\$1,505.00</u> | | <u>\$1,568.00</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.

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

REVOCAATION: 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 |
| | 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>\$1,694.00</u> | | <u>\$1,757.00</u> | |
| | 60 days jail - 24 mon. revocation | | 80 days jail - 27 mon. revocation | |
| .15 to .199 Enhancer .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 |
| | 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>\$2,452.00</u> | | <u>\$2,579.00</u> | |
| | 80 days jail - 27 mon. revocation | | 110 days jail - 30 mon. revocation | |
| Refusal or .20 to .249 Enhancer .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 |
| | 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>\$3,214.00</u> | | <u>\$3,341.00</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

REVOCAATION: 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 |
| Enhancer | 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>\$3,976.00</u> | | | <u>\$4,103.00</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.

FOURTH OFFENSE

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)4

JAIL: 60 DAYS - 12 MONTHS (minimum 48 consec. hours in jail)

FINE: \$600 - \$2000

REVOCAATION: 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))

Note: class H felony penalty could apply; see s.346.65(2)(am)4m; drug court provisions may apply.

****Note: if a class H felony penalty is applied; see s.346.65(2)(am)4m -- then a \$250 DNA surcharge applies.**

DRIVING FACTORS

| <u>BAC LEVEL</u> | Minimum Driving - No Accident | | Aggravated Driving - Accident or Injury; Bad Driving Record |
|--|--|--|---|
| .079 & Below | Fine \$600.00 Driver surcharge \$435.00 Costs \$163.00 Restricted Controlled Substance Penalty surcharge \$156.00 Crime Lab surcharge \$13.00 Victim/Witness surcharge A \$40.00 Victim/Witness surcharge B \$27.00 Jail surcharge \$10.00 *Interlock surcharge \$50.00 **DNA surcharge \$200.00 \$1,694.00 150 days jail - 27 mon. revocation | | Fine \$650.00 Driver surcharge \$435.00 Costs \$163.00 Penalty surcharge \$169.00 Crime Lab surcharge \$13.00 Victim/Witness surcharge A \$40.00 Victim/Witness surcharge B \$27.00 Jail surcharge \$10.00 *Interlock surcharge \$50.00 **DNA surcharge \$200.00 \$1,757.00 170 days jail - 30 mon. revocation |
| .08 to .149 | Fine \$900.00 Driver surcharge \$435.00 Costs \$163.00 Restricted Controlled Substance Penalty surcharge \$234.00 Crime Lab surcharge \$13.00 Victim/Witness surcharge A \$40.00 Victim/Witness surcharge B \$27.00 Jail surcharge \$10.00 *Interlock surcharge \$50.00 **DNA surcharge \$200.00 \$2,072.00 230 days jail - 27 mon. revocation | | Fine \$950.00 Driver surcharge \$435.00 Costs \$163.00 Penalty surcharge \$247.00 Crime Lab surcharge \$13.00 Victim/Witness surcharge A \$40.00 Victim/Witness surcharge B \$27.00 Jail surcharge \$10.00 *Interlock surcharge \$50.00 **DNA surcharge \$200.00 \$2,135.00 270 days jail - 30 mon. revocation |
| .15 to .199 Enhancer .15-.199= fine X 2 .20-.249= fine X 3 | Fine \$1,200.00 Driver surcharge \$435.00 Costs \$163.00 Penalty surcharge \$312.00 Crime Lab surcharge \$13.00 Victim/Witness surcharge A \$40.00 Victim/Witness surcharge B \$27.00 Jail surcharge \$12.00 *Interlock surcharge \$50.00 **DNA surcharge \$200.00 \$2,452.00 270 days jail - 30 mon. revocation | | Fine \$1,300.00 Driver surcharge \$435.00 Costs \$163.00 Penalty surcharge \$338.00 Crime Lab surcharge \$13.00 Victim/Witness surcharge A \$40.00 Victim/Witness surcharge B \$27.00 Jail surcharge \$13.00 *Interlock surcharge \$50.00 **DNA surcharge \$200.00 \$2,579.00 330 days jail - 33 mon. revocation |

FACTORS: Ability to pay, def. conduct since offense, incldg.assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

FOURTH OFFENSE (CONTINUED)

For violations of 346.63(1)(am) or (b), penalty - 346.65(2)(am)4

JAIL: 60 DAYS - 12 MONTHS (minimum 48 consec. hours in jail)

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))

Note: class H felony penalty could apply; see s.346.65(2)(am)4m; drug court provisions may apply.

****Note: if a class H felony penalty is applied; see s.346.65(2)(am)4m -- then a \$250 DNA surcharge applies.**

DRIVING FACTORS

| <u>BAC LEVEL</u> | Minimum Driving - No Accident | | Aggravated Driving - Accident or Injury; Bad Driving Record |
|-----------------------|------------------------------------|--|---|
| Refusal Or .24 to.249 | Fine \$1,800.00 | | Fine \$1,900.00 |
| | Driver surcharge \$435.00 | | Driver surcharge \$435.00 |
| Enhancer | Costs \$163.00 | | Costs \$163.00 |
| .20-.249= fine X 3 | Penalty surcharge \$468.00 | | Penalty surcharge \$494.00 |
| | 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 \$18.00 | | Jail surcharge \$19.00 |
| | *Interlock surcharge \$50.00 | | *Interlock surcharge \$50.00 |
| | **DNA surcharge \$200.00 | | **DNA surcharge \$200.00 |
| | \$3,214.00 | | \$3,341.00 |
| | 330 days jail - 33 mon. revocation | | 350 days jail - 36 mon. revocation |
| .25 or above | Fine \$2,400.00 | | Fine \$2,500.00 |
| | Driver surcharge \$435.00 | | Driver surcharge \$435.00 |
| Enhancer | 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 |
| | \$3,976.00 | | \$4,103.00 |
| | 330 days jail - 33 mon. revocation | | 350 days jail - 36 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> | <u>Minimum Driving - No Accident</u> | <u>Aggravated Driving - Accident or Injury; Bad Driving Record</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|----------|------------------|----------|-------|----------|-------------------|----------|---------------------|---------|----------------------------|---------|----------------------------|---------|----------------|---------|----------------------|---------|---------------|----------|--|-------------------|-----------------------------------|--|--|------|----------|------------------|----------|-------|----------|-------------------|----------|---------------------|---------|----------------------------|---------|----------------------------|---------|----------------|---------|----------------------|---------|---------------|----------|--|-------------------|-----------------------------------|--|
| .149 & Below Restricted Controlled Substance | <table border="1"> <tr><td>Fine</td><td>\$350.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$91.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,379.00</u></td></tr> <tr><td>10 days jail - 12 mon. revocation</td><td></td></tr> </table> | Fine | \$350.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$91.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,379.00</u> | 10 days jail - 12 mon. revocation | | <table border="1"> <tr><td>Fine</td><td>\$400.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$104.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,442.00</u></td></tr> <tr><td>30 days jail - 14 mon. revocation</td><td></td></tr> </table> | Fine | \$400.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$104.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,442.00</u> | 30 days jail - 14 mon. revocation | |
| Fine | \$350.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$91.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,379.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 days jail - 12 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine | \$400.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$104.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,442.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 days jail - 14 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| .15 to .199 | <table border="1"> <tr><td>Fine</td><td>\$400.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$104.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,442.00</u></td></tr> <tr><td>10 days jail - 14 mon. revocation</td><td></td></tr> </table> | Fine | \$400.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$104.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,442.00</u> | 10 days jail - 14 mon. revocation | | <table border="1"> <tr><td>Fine</td><td>\$450.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$117.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,505.00</u></td></tr> <tr><td>40 days jail - 16 mon. revocation</td><td></td></tr> </table> | Fine | \$450.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$117.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,505.00</u> | 40 days jail - 16 mon. revocation | |
| Fine | \$400.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$104.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,442.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 days jail - 14 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine | \$450.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$117.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,505.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 40 days jail - 16 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Refusal or .20 & above | <table border="1"> <tr><td>Fine</td><td>\$450.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$117.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,505.00</u></td></tr> <tr><td>20 days jail - 16 mon. revocation</td><td></td></tr> </table> | Fine | \$450.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$117.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,505.00</u> | 20 days jail - 16 mon. revocation | | <table border="1"> <tr><td>Fine</td><td>\$500.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$130.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,568.00</u></td></tr> <tr><td>60 days jail - 18 mon. revocation</td><td></td></tr> </table> | Fine | \$500.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$130.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,568.00</u> | 60 days jail - 18 mon. revocation | |
| Fine | \$450.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$117.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,505.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 days jail - 16 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine | \$500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$130.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,568.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 |
| | 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>\$1,820.00</u> | | <u>\$1,946.00</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 |
| | 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>\$1,946.00</u> | | <u>\$2,072.00</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 |
| | 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>\$2,072.00</u> | | <u>\$2,198.00</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:
COMMERCIAL
MOTOR VEHICLE

For violations of 346.63(5), penalty - 346.65(2)(am)1

FORFEITURE: \$150 TO \$300 (plus surcharges and costs)

REVOCAATION: 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.

*Revocation Period = Jail + Revocation (343.305 (10g))

DRIVING FACTORS

| <u>BAC LEVEL</u> | Minimum Driving - No Accident | | Aggravated Driving - Accident or Injury; Bad Driving Record | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|------------|---|------------------|----------|-------|---------|-------------------------|---------|-------------------|---------|-------------------------|---------|---------------------|---------|----------------|---------|----------------------------------|--------|----------------------|---------|---------------|----------|--|-------------------|--|--|--|--|------------|----------|------------------|----------|-------|---------|-------------------------|---------|-------------------|---------|-------------------------|---------|---------------------|---------|----------------|---------|----------------------------------|--------|----------------------|---------|---------------|----------|--|-------------------|---|--|
| .04 to less than .079 | <table border="1"> <tr><td>Forfeiture</td><td>\$150.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$25.00</td></tr> <tr><td>Court support surcharge</td><td>\$68.00</td></tr> <tr><td>Penalty surcharge</td><td>\$39.00</td></tr> <tr><td>Justice Info. surcharge</td><td>\$21.50</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,019.50</u></td></tr> <tr><td>6 month revocation</td><td></td></tr> </table> | Forfeiture | \$150.00 | Driver surcharge | \$435.00 | Costs | \$25.00 | Court support surcharge | \$68.00 | Penalty surcharge | \$39.00 | Justice Info. surcharge | \$21.50 | Crime Lab surcharge | \$13.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,019.50</u> | 6 month revocation | | | <table border="1"> <tr><td>Forfeiture</td><td>\$200.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$25.00</td></tr> <tr><td>Court support surcharge</td><td>\$68.00</td></tr> <tr><td>Penalty surcharge</td><td>\$52.00</td></tr> <tr><td>Justice Info. surcharge</td><td>\$21.50</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,082.50</u></td></tr> <tr><td>7 month revocation</td><td></td></tr> </table> | Forfeiture | \$200.00 | Driver surcharge | \$435.00 | Costs | \$25.00 | Court support surcharge | \$68.00 | Penalty surcharge | \$52.00 | Justice Info. surcharge | \$21.50 | Crime Lab surcharge | \$13.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,082.50</u> | 7 month revocation | |
| Forfeiture | \$150.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$25.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Court support surcharge | \$68.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$39.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justice Info. surcharge | \$21.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,019.50</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 month revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Forfeiture | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$25.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Court support surcharge | \$68.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$52.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justice Info. surcharge | \$21.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,082.50</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 month revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| .08 to .15 Restricted controlled substance | <table border="1"> <tr><td>Forfeiture</td><td>\$200.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$25.00</td></tr> <tr><td>Court support surcharge</td><td>\$68.00</td></tr> <tr><td>Penalty surcharge</td><td>\$52.00</td></tr> <tr><td>Justice Info. surcharge</td><td>\$21.50</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,082.50</u></td></tr> <tr><td>7 month revocation</td><td></td></tr> </table> | Forfeiture | \$200.00 | Driver surcharge | \$435.00 | Costs | \$25.00 | Court support surcharge | \$68.00 | Penalty surcharge | \$52.00 | Justice Info. surcharge | \$21.50 | Crime Lab surcharge | \$13.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,082.50</u> | 7 month revocation | | | <table border="1"> <tr><td>Forfeiture</td><td>\$250.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$25.00</td></tr> <tr><td>Court support surcharge</td><td>\$68.00</td></tr> <tr><td>Penalty surcharge</td><td>\$65.00</td></tr> <tr><td>Justice Info. surcharge</td><td>\$21.50</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,145.50</u></td></tr> <tr><td>8 month revocation</td><td></td></tr> </table> | Forfeiture | \$250.00 | Driver surcharge | \$435.00 | Costs | \$25.00 | Court support surcharge | \$68.00 | Penalty surcharge | \$65.00 | Justice Info. surcharge | \$21.50 | Crime Lab surcharge | \$13.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,145.50</u> | 8 month revocation | |
| Forfeiture | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$25.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Court support surcharge | \$68.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$52.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justice Info. surcharge | \$21.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,082.50</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 month revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Forfeiture | \$250.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$25.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Court support surcharge | \$68.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$65.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justice Info. surcharge | \$21.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,145.50</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 month revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| .151 and above | <table border="1"> <tr><td>Forfeiture</td><td>\$250.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$25.00</td></tr> <tr><td>Court support surcharge</td><td>\$68.00</td></tr> <tr><td>Penalty surcharge</td><td>\$65.00</td></tr> <tr><td>Justice Info. surcharge</td><td>\$21.50</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,145.50</u></td></tr> <tr><td>8 month revocation/ Refusal 12 mon. revoc.</td><td></td></tr> </table> | Forfeiture | \$250.00 | Driver surcharge | \$435.00 | Costs | \$25.00 | Court support surcharge | \$68.00 | Penalty surcharge | \$65.00 | Justice Info. surcharge | \$21.50 | Crime Lab surcharge | \$13.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,145.50</u> | 8 month revocation/ Refusal 12 mon. revoc. | | | <table border="1"> <tr><td>Forfeiture</td><td>\$300.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$25.00</td></tr> <tr><td>Court support surcharge</td><td>\$68.00</td></tr> <tr><td>Penalty surcharge</td><td>\$78.00</td></tr> <tr><td>Justice Info. surcharge</td><td>\$21.50</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,208.50</u></td></tr> <tr><td>9 month revocation / Refusal 12 mon. revoc.</td><td></td></tr> </table> | Forfeiture | \$300.00 | Driver surcharge | \$435.00 | Costs | \$25.00 | Court support surcharge | \$68.00 | Penalty surcharge | \$78.00 | Justice Info. surcharge | \$21.50 | Crime Lab surcharge | \$13.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,208.50</u> | 9 month revocation / Refusal 12 mon. revoc. | |
| Forfeiture | \$250.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$25.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Court support surcharge | \$68.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$65.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justice Info. surcharge | \$21.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,145.50</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 month revocation/ Refusal 12 mon. revoc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Forfeiture | \$300.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$25.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Court support surcharge | \$68.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$78.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justice Info. surcharge | \$21.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,208.50</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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:
COMMERCIAL
MOTOR VEHICLE**

For violations of 346.63(5), 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

BAC LEVEL

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 |
| | 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>\$1,387.00</u> | | | <u>\$1,450.00</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 |
| | 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>\$1,450.00</u> | | | <u>\$1,513.00</u> |
| | | 10 days jail - 14 mon. revocation | | | 40 days jail - 16 mon. revocation |
| .151 and above Restricted controlled substance | Fine | \$450.00 | | Fine | \$500.00 |
| | Driver surcharge | \$435.00 | | Driver surcharge | \$435.00 |
| | 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 |
| | | <u>\$1,513.00</u> | | | <u>\$1,576.00</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.

**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

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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|------|---|------------------|----------|-------|----------|-------------------|----------|---------------------|---------|----------------------------|---------|----------------------------|---------|----------------|---------|----------------------------------|--------|----------------------|---------|---------------|----------|--|-------------------|--|---|------|----------|------------------|----------|-------|----------|-------------------|----------|---------------------|---------|----------------------------|---------|----------------------------|---------|----------------|---------|----------------------------------|--------|----------------------|---------|---------------|----------|--|-------------------|
| .04 to less than .079 | <table border="1"> <tr><td>Fine</td><td>\$600.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$156.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,702.00</u></td></tr> </table> | Fine | \$600.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$156.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,702.00</u> | | <table border="1"> <tr><td>Fine</td><td>\$650.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$169.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,765.00</u></td></tr> </table> | Fine | \$650.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$169.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,765.00</u> |
| Fine | \$600.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$156.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,702.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine | \$650.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$169.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,765.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 90 days jail - 24 mon. revocation | | 120 days jail - 27 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| .08 to .15 | <table border="1"> <tr><td>Fine</td><td>\$650.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$169.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,765.00</u></td></tr> </table> | Fine | \$650.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$169.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,765.00</u> | | <table border="1"> <tr><td>Fine</td><td>\$700.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$182.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,828.00</u></td></tr> </table> | Fine | \$700.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$182.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,828.00</u> |
| Fine | \$650.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$169.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,765.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine | \$700.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$182.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,828.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 120 days jail - 27 mon. revocation | | 150 days jail - 30 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| .151 to .169 Restricted controlled substance | <table border="1"> <tr><td>Fine</td><td>\$700.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$182.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,828.00</u></td></tr> </table> | Fine | \$700.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$182.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,828.00</u> | | <table border="1"> <tr><td>Fine</td><td>\$750.00</td></tr> <tr><td>Driver surcharge</td><td>\$435.00</td></tr> <tr><td>Costs</td><td>\$163.00</td></tr> <tr><td>Penalty surcharge</td><td>\$195.00</td></tr> <tr><td>Crime Lab surcharge</td><td>\$13.00</td></tr> <tr><td>Victim/Witness surcharge A</td><td>\$40.00</td></tr> <tr><td>Victim/Witness surcharge B</td><td>\$27.00</td></tr> <tr><td>Jail surcharge</td><td>\$10.00</td></tr> <tr><td>Truck Driver Education surcharge</td><td>\$8.00</td></tr> <tr><td>*Interlock surcharge</td><td>\$50.00</td></tr> <tr><td>DNA surcharge</td><td>\$200.00</td></tr> <tr><td></td><td><u>\$1,891.00</u></td></tr> </table> | Fine | \$750.00 | Driver surcharge | \$435.00 | Costs | \$163.00 | Penalty surcharge | \$195.00 | Crime Lab surcharge | \$13.00 | Victim/Witness surcharge A | \$40.00 | Victim/Witness surcharge B | \$27.00 | Jail surcharge | \$10.00 | Truck Driver Education surcharge | \$8.00 | *Interlock surcharge | \$50.00 | DNA surcharge | \$200.00 | | <u>\$1,891.00</u> |
| Fine | \$700.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$182.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,828.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine | \$750.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driver surcharge | \$435.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs | \$163.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Penalty surcharge | \$195.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime Lab surcharge | \$13.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge A | \$40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Victim/Witness surcharge B | \$27.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jail surcharge | \$10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Driver Education surcharge | \$8.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Interlock surcharge | \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DNA surcharge | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>\$1,891.00</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 150 days jail - 30 mon. revocation | | 180 days jail - 33 mon. revocation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

FACTORS: Ability to pay, def. conduct since offense, inclg. assessment and driving plan before conviction, consequences, cooperation, pros. recommendation.

THIRD OFFENSE (CONTINUED):
COMMERCIAL
MOTOR VEHICLE

For violations of 346.63(5), 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

| | | | | | |
|---------------|------------------------------------|-------------------|--|----------------------------------|------------------------------------|
| .17 to .199 | Fine | \$1,200.00 | | Fine | \$1,300.00 |
| | Driver surcharge | \$435.00 | | Driver surcharge | \$435.00 |
| | 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>\$2,460.00</u> | | | <u>\$2,587.00</u> |
| | 150 days jail - 30 mon. revocation | | | | 180 days jail - 33 mon. revocation |
| .20 to .249 | Fine | \$1,800.00 | | Fine | \$1,900.00 |
| | Driver surcharge | \$435.00 | | Driver surcharge | \$435.00 |
| | 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>\$3,222.00</u> | | | <u>\$3,349.00</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 |
| | 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>\$3,984.00</u> | | | <u>\$4,111.00</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.

OWI GUIDELINE -- STATUTE GUIDE (NOT PART OF GUIDELINES - STAFF USE ONLY)

| | |
|--|--------------------------|
| CHIEF JUDGE TO ADOPT GUIDELINES | 346.65(2m)(a) |
| COURT REVOCATION & SUSPENSION | 343.30, 343.305 (10g) |
| PENALTY SURCHARGE | 757.05(1), 814.75(18) |
| JAIL SURCHARGE | 302.46, 814.75(14) |
| CRIME LAB & DRUG SURCHARGE | 165.755, 814.75(3) |
| VICTIM-WITNESS SURCHARGE. A and B | 973.045, 814.75(5) |
| COURT COSTS | 814.60, 814.63 |
| COURT COSTS - MUNICIPAL | 814.65(1) |
| JUSTICE INFORMATION SURCHARGE | 814.86(1), 814.75(15) |
| COURT SUPPORT SURCHARGE | 814.85(1)(a), 814.75(2) |
| DRIVE IMPROVEMENT SURCHARGE | 346.655, 814.75(9) |
| BAC PENALTY ENHANCER | 346.65(2)(g) |
| TRUCK DRIVER ED. SURCHARGE | 349.04(1), 814.75(23) |
| PROHIBITED ALCOHOL CONTENT AND VIOLATION OF.... | 340.01(46m) 346.63(1) |
| SUSPENSION/REVOCATION BY THE COURT | 343.30(1q)(b) |
| REFUSALS | 343.305(9), (10), (10m) |
| DRUNK DRIVING PENALTIES | 346.65(2) |
| COMMERCIAL DRUNK DRIVING | 346.63(5)(a) |
| COMMERCIAL DRUNK DRIVING PENALTIES | 346.65(2j) |
| IGNITION INTERLOCK/IMMOBILIZATION | 343.301 |
| MINOR PASSENGER UNDER 16 | 346.65(2)(f) |
| MINOR PASSENGER UNDER 16 (COMMERCIAL) | 346.65(2j)(d) |
| DNA Surchage | 973.046 (1r) |

BAC PENALTY ENHANCER FINE TABLE (NOT PART OF GUIDELINES - STAFF USE ONLY)

Formula:

| | | | | |
|------------------------------------|------|----|------|-----------|
| Fine Amount | | | | \$ Amount |
| Penalty surcharge | | | | 0.26 |
| Driver improvement surcharge | | | | \$435.00 |
| Court costs | | | | \$163.00 |
| Crime Lab surcharge | | | | \$13.00 |
| Victim/Witness surcharges A plus B | | | | \$67.00 |
| Jail surcharge | 0.01 | or | \$10 | \$ Amount |
| Interlock surcharge | | | | \$50.00 |

NOTE: for felonies, 5th offense and over, add \$25 to amount found below (Part A surcharge is \$65)

| FINE AMOUNT | FINE X | FINE X | FINE X |
|-------------|-----------------|-----------------|-----------------|
| | 2 Plus Costs | 3 Plus Costs | 4 Plus Costs |
| \$100.00 | \$990.00 | \$1,116.00 | \$1,242.00 |
| \$150.00 | \$1,116.00 | \$1,305.00 | \$1,494.00 |
| \$200.00 | \$1,242.00 | \$1,494.00 | \$1,746.00 |
| \$250.00 | \$1,368.00 | \$1,683.00 | \$1,998.00 |
| \$300.00 | \$1,494.00 | \$1,872.00 | \$2,252.00 |
| \$350.00 | \$1,620.00 | \$2,061.50 | \$2,506.00 |
| \$400.00 | \$1,746.00 | \$2,252.00 | \$2,760.00 |
| \$450.00 | \$1,872.00 | \$2,442.50 | \$3,014.00 |
| \$500.00 | \$1,998.00 | \$2,633.00 | \$3,268.00 |
| \$550.00 | \$2,125.00 | \$2,823.50 | \$3,522.00 |
| \$600.00 | \$2,252.00 | \$3,014.00 | \$3,776.00 |
| \$650.00 | \$2,379.00 | \$3,204.50 | \$4,030.00 |
| \$700.00 | \$2,506.00 | \$3,395.00 | \$4,284.00 |
| \$750.00 | \$2,633.00 | \$3,585.50 | \$4,538.00 |
| \$800.00 | \$2,760.00 | \$3,776.00 | \$4,792.00 |
| \$850.00 | \$2,887.00 | \$3,966.50 | \$5,046.00 |
| \$900.00 | \$3,014.00 | \$4,157.00 | \$5,300.00 |
| \$950.00 | \$3,141.00 | \$4,347.50 | \$5,554.00 |
| \$1,000.00 | \$3,268.00 | \$4,538.00 | \$5,808.00 |
| \$1,050.00 | \$3,395.00 | \$4,728.50 | \$6,062.00 |
| \$1,100.00 | \$3,522.00 | \$4,919.00 | \$6,316.00 |
| \$1,150.00 | \$3,649.00 | \$5,109.50 | \$6,570.00 |
| \$1,200.00 | \$3,776.00 | \$5,300.00 | \$6,824.00 |
| \$1,250.00 | \$3,903.00 | \$5,490.50 | \$7,078.00 |
| \$1,300.00 | \$4,030.00 | \$5,681.00 | \$7,332.00 |
| \$1,350.00 | \$4,157.00 | \$5,871.50 | \$7,586.00 |
| \$1,400.00 | \$4,284.00 | \$6,062.00 | \$7,840.00 |

The BAC penalty enhancer ranges contained in 346.65(2)(g) apply to the fines found in 346.65(2) pars. (c) to (e). You can use these table amounts in 3rd & 4th offenses, but for 5th must add \$25 because the Part A surcharge for a felony is \$65, rather than \$40. This table shows the total amount due after the multiplier is applied (per 1999 Act 109, 346.65(2)(g) eff. 1/1/2001).

Enhancer Range Minimums-Maximums:

| | | |
|--------------------|-------------|-------------|
| <u>3rd Offense</u> | X2 | X3 |
| \$600-2000 | \$1200-4000 | \$1800-6000 |

| | | |
|--------------------|-------------|-------------|
| <u>4th Offense</u> | X2 | X3 |
| \$600-2000 | \$1200-4000 | \$1800-6000 |

| | | |
|--------------------|------------|------------|
| <u>5th Offense</u> | X2 | X3 |
| \$600-10,000 | \$1200-10K | \$1800-10K |

(no maximum contained in 346.65(2)(e), therefore maximum is that for a Class H felony, 939.50(3)(h))