

OWI Penalties and Consequences – Quick Reference

D.O.T. CONSEQUENCES

- Remember the DOT only looks at prior 321J **suspensions** in determining 1st or 2nd and subsequent offenses. Zero tolerance offenses count!

	FIRST OFFENSE		SECOND OR SUBSEQUENT	
	Failure	Refusal	Failure	Refusal
Suspension Period	6 Months	1 Year	1 Year	2 years
Hard Suspension Period	Over .15 or accident = 30 days Under .15 and no accident = None	90 days	45 days	90 days
Ignition Interlock	.100 or under and no accident – None Over .100 required for TRL	Always	Always	Always
CDL	1 year (per DOT)	1 year	Lifetime	Lifetime

CRIMINAL CONSEQUENCES IF CONVICTED

- Requires actual criminal conviction for operating while intoxicated

	FIRST OFFENSE		SECOND OFFENSE		THIRD OFFENSE	
	Failure	Refusal	Failure	Refusal	Failure	Refusal
Mandatory Minimum Jail	2 days If under .15 and no personal injury accident, possibly no jail – deferred judgment	2 days Not eligible for deferred	7 days	7 days	30 days	30 days
Mandatory Minimum Fine	\$1250 plus 35% surcharge	\$1250 plus 35% surcharge	\$1825 plus 35% surcharge	\$1825 plus 35% surcharge	\$3125 plus 35% surcharge	\$3125 plus 35% surcharge
Other Considerations			If convicted may not register a vehicle in your name		<p>FELONY!!!</p> <p>If convicted may not register a vehicle in your name.</p> <p>Conviction requires 6 year barrment.</p> <p>No benefit to consenting to test unless absolutely certain will blow under .08</p>	