

Criminal Sentencing/Administrative Consequences of HB 4247 (Alcohol Convictions)

	1 st Offense (no prior 625 crime)	2 nd Offense or any prior 625 crime within 7 years	3 rd Offense or 2 Prior 625 Crimes License Sanctions	3 rd Offense in Lifetime Criminal Sanctions (01/03/2007)
<p>HBAC 257.625(1)(c) ≥ .17 (10/31/2010)</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> 1 or more of the following: Up to 180 days jail; \$200-\$700 fine or; up to 360 hours Comm. Svc. <u>Licensing:</u> 1 Year susp; eligible for rest license after 45 days with ignition interlock device 6 points <u>Plate Conf:</u> None <u>Immob:</u> Permissive up to 180 days <u>Forf:</u> None <u>Alcohol Rehabilitation Program:</u> Not less than 1 year</p>	N/A	N/A	N/A
<p>OWI 257.625(1) ≥ .08 Until 10/01/2013 a. OUIL/OUID b. UBAC – Per Se</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> 1 or more of the following: Up to 93 days jail; \$100-\$500 fine or; up to 360 hours Comm. Svc. <u>Licensing:</u> 30/150 Susp/rest 6 points Court-ordered Ignition Interlock permissive 625(24) <u>Plate conf:</u> None <u>Immob:</u> Permissive up to 180 days <u>Reg Deny:</u> None <u>Forf:</u> None</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> \$200-\$1,000 fine AND one or more of the following: 5 days to 1-year jail; 30-90 days Comm. Svc. <u>Licensing:</u> Minimum 1 year revocation/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 90-180 days unless forfeited <u>Reg Deny:</u> None <u>Forf:</u> Permissive</p>	<p><u>Licensing:</u> Minimum 1-5 years rev/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 1-3 years unless forfeited <u>Reg Deny:</u> Required <u>Forf:</u> Permissive</p>	<p>Felony <u>Fine/Jail/Comm Svc:</u> \$500-\$5,000 fine AND either of the following: 1-5 years prison; probation with 30 days to 1 year jail AND 60-180 days Comm Svc.</p>
<p>OVWI 257.625(3)</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> 1 or more of the following: Up to 93 days jail; \$300 fine or; up to 360 hours Comm. Svc. <u>Licensing:</u> 90-day rest 180-day rest w/OWID 4 points <u>Plate Conf:</u> None <u>Immob:</u> Permissive up to 180 days <u>Reg Deny:</u> None <u>Forf:</u> None</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> \$200-\$1,000 fine AND one or more of the following: 5 days – 1 year jail; 30-90 days Comm. Svc. <u>Licensing:</u> minimum 1-year revocation/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 90-180 days unless forfeited <u>Reg Deny:</u> None <u>Forf:</u> Permissive</p>	<p><u>Licensing:</u> Minimum 1-5 year revocation/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 1-3 years unless forfeited <u>Reg Deny:</u> Required <u>Forf:</u> Permissive</p>	<p>Felony <u>Fine/Jail/Comm Svc:</u> \$500-\$5,000 fine AND either of the following: 1-5 years prison; probation with 30 days-1 year jail AND 60-180 days Comm. Svc.</p>
<p>Operating With Presence of Drugs 333.7212, 7214(a)(iv) (OWPD) 257.625(8)</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> 1 or more of following: Up to 93 days jail; \$100-\$500 fine or; up to 360 hours Comm. Svc. <u>Licensing:</u> 30/150 susp/rest 6 points Court-ordered Ignition Interlock permissive 625(24) <u>Plate Conf:</u> None <u>Immob:</u> Permissive up to 180 days <u>Reg Deny:</u> None</p>	<p>Misdemeanor <u>Fine/Jail/Comm Svc:</u> \$200-\$1,000 fine AND one or more of the following: 5 days – 1 year jail; 30-90 days Comm Svc. <u>Licensing:</u> minimum 1 year rev/denial <u>Plate Conf:</u> Required <u>Immob</u> Required 90-180 days unless forfeited <u>Reg Deny:</u> None <u>Forf:</u> Permissive</p>	<p><u>Licensing:</u> Minimum 1-5 year rev/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 1-3 years unless forfeited <u>Reg Deny:</u> Required <u>Forf:</u> Permissive</p>	<p>Felony <u>Fine/Jail/Comm Svc:</u> \$500-\$5,000 fine AND either of the following: 1-5 years prison; probation with 30 days to 1 year jail AND 60-180 days Comm. Svc.</p>

	<u>Forf:</u> None			
OWI/OVWI Death/Injury 257.625(4) & (5)	Felony <u>Fine/Jail/Comm Svc:</u> Death – prison up to 15 years OR \$2,500-\$10,000 fine, or both. Injury – prison up to 5 years OR \$1,000-\$5,000 fine OR both Emer. Responder Death: Prison up to 20 years OR \$2,500-\$10,000 fine, or both <u>Licensing:</u> Minimum 1 year rev/denial 6 Points <u>Plate Conf:</u> Required <u>Immob:</u> Required up to 180 days <u>Reg Deny:</u> None <u>Forf:</u> Permissive	Felony <u>Fine/Jail/Comm Svc:</u> Death – prison up to 15 years OR \$2,500-\$10,000 fine OR both Injury – prison up to 5 years OR \$1,000-\$5,000 fine OR both Emer. Responder Death – prison up to 20 years OR \$2,500-\$10,000 fine, or both <u>Licensing:</u> Minimum 5 year rev/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 90-180 days unless forfeited <u>Reg Deny:</u> None <u>Forf:</u> Permissive	<u>Licensing:</u> Minimum 105 year rev/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 1-3 years unless forfeited <u>Reg Deny:</u> Required <u>Forf:</u> Permissive	Felony <u>Fine/Jail/Comm Svc:</u> Death – prison up to 15 years OR \$2,500-\$10,000 fine OR both. Injury – prison up to 5 years OR \$1,000-\$5,000 fine OR both Emer. Responder Death – prison up to 20 years OR \$2,500-\$10,000 fine, or both
Zero Tolerance 257.625(6) – (.02<.08) .08 Until 10/01/2013	Misdemeanor <u>Fine/Jail/Comm Svc:</u> Up to \$250 fine OR up to 360 hours Comm. Svc. Or both <u>Licensing:</u> 30 days rest 4 points <u>Plate Conf:</u> None <u>Immob:</u> None <u>Reg Deny:</u> None <u>Forf:</u> None	Misdemeanor <u>Fine/Jail/Comm Svc:</u> One or more of the following:: up to 60 days Comm. Svc; up to \$500 fine; up to 93 days jail <u>Licensing:</u> 90 day susp OR if prior 625 then minimum 1 year rev/denial <u>Plate Conf:</u> None <u>Immob:</u> None <u>Reg Deny:</u> None <u>Forf:</u> None		
Child Endangerment 257.625(7) In violation of 625(1), (3), (4), (5) or (6)	Misdemeanor <u>Fine/Jail/Comm Svc:</u> \$200-\$1,000 fine AND one or more of the following: 5 days-1 year jail; 30-90 days Comm. Svc. <u>Licensing:</u> 90/90 susp/rest 6 points <u>Plate Conf:</u> None <u>Immob:</u> Permissive up to 180 days <u>Reg Deny:</u> None <u>Forf:</u> Permissive	Felony <u>Fine/Jail/Comm Svc:</u> \$500-\$5,000 fine AND either of the following: 1-5 years prison; probation with 30 days-1 year jail AND 60-180 days Comm. Svc. <u>Licensing:</u> Minimum 1 year rev/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 90-180 days unless forfeited <u>Reg Deny:</u> None <u>Forf:</u> Permissive	<u>Licensing:</u> 1 st – 90/90 susp/rest 2 nd – revoke <u>Plate Conf:</u> See 1 st , 2 nd offense <u>Immob:</u> See 1 st & 2 nd <u>Reg Deny:</u> None <u>Forf:</u> Permissive	Endangerment – Zero Tolerance w/occupant < 16 Misdemeanor <u>Fine/Jail/Comm Svc:</u> 1 st – One or more of the following: up to 60 days Comm. Svc; up to \$500 fine/ up to 93 days jail
.04 - <CDL 257.625m(1) (.04<.08) .08 Until 10/01/2013	Misdemeanor <u>Fine/Jail/Comm Svc:</u> Up to \$300 fine OR up to 93 days jail, or both <u>Licensing:</u> CDL-1 yr susp OPR – 90 day rest HAZ – 3 yr susp 0 points <u>Plate Conf:</u> None <u>Immob:</u> Permissive up to 180 days <u>Reg Deny:</u> None <u>Forf:</u> None	Misdemeanor <u>Fine/Jail/Comm Svc:</u> Up to \$1,000 fine OR up to 1 year or both <u>Licensing:</u> CDL – Minimum 10 yr rev OPR – 1 year rev/denial	<u>Licensing:</u> CDL – rev for LIFE-if prior approval OPR – minimum 5 year rev/denial <u>Plate Conf:</u> Required <u>Immob:</u> Required 1-3 years <u>Reg Deny:</u> Required <u>Forf:</u> None	Felony <u>Fine/Jail/Comm Svc:</u> \$500-\$5,000 fine and either of the following: prison from 1-5 years; probation with 30 days - 1 year jail AND 60-180 days Comm. Svc.