

Basic Penalties for DUI

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Based on the penalties in law throughout the US these are an amalgam of those for DUI. The average penalty for DUI from minimum to maximum sentencing if probation is granted by the court averages 3 to 5 years. Court granted probation is the most benign sentence one can receive. This is essentially a wakeup call to the driver. Take the warning and don't drink and drive at all from this point forward, because this is now on the record. The next time you come before a judge will be a second offense.

Minimum through maximum sentences without probation are as follows starting with a first offense status, based on a ten-year window. All sentences require attendance in an alcohol/drug informational program. A fine will be imposed, anywhere from \$200.00 to \$2000.00. Moreover, 48 hours to 6 months in jail, this may be mitigated by community service; and/or your license may be suspended up to 6 months. Up to a 90 day restriction on your license may be imposed. If you hold a professional driving license - class 1, 2, A or B, you might receive 96 hours to 6 months in jail, mandatory fines, and mandatory 6-month license revocation.

The second offense within 10 years will garner you fines up to \$2000.00, and 4 days to 1 year in jail. Your license could be suspended up to 18 months, and/or you will face up to 30 weeks in a mandatory alcohol/drug counseling program. If the counseling is imposed you may have your license suspended for the duration of the program to driving to and from work and to and from the program only. If you hold a professional license, you could have an interlocking device, i.e.: key lock, installed in your vehicle, a mandatory fine, and mandatory license suspension up to 18 months, and face 90 days to 1 year in jail.

A third or fourth DUI within 10 years will get you up to 120 days to 1 year in jail, up to a \$2000.00 fine, up to 18 months in an alcohol/drug program, if you have not had one before this. You face a 3-year license revocation for the third offense, and a 4-year license revocation for the fourth offense. On a fourth offense, if circumstances warrant, you spend 180 days to 1 year in jail, or up to 3 years in a state prison, in addition to all previously listed penalties.

These are all penalties for basic DUI. The sentencing is ratcheted up if there are aggravated incidents in addition to the DUI. These could be but are not inclusive of any accidents, extreme high blood alcohol levels, high vehicle speeds, children present, prior convictions, drugs found or used, and any abuse of arresting officers. The law is fluid and legislated. All penalties are subject to change and modification at the will of the people. Now, in most cases, the court must pass judgment as the law specifies without the ability to mitigate sentencing from the bench. Forewarned is forearmed. Thanks for reading. If you found this article helpful you can read more articles, DUI tips, and more information on my website: <http://www.dui-lawfirms.com>