

# 10<sup>th</sup> Judicial District OWI Guidelines

07/01/10

No.	BAC	Minimum Driving & No Accident			Aggravated Driving			Other	
		Fine	Jail Days	Rev Mos	Fine	Jail Days	Rev Mos	Occ. Wait	IID?
1 <sup>st</sup>	.169 & below Restricted Controlled Substance	\$741.50		6	\$804.50		7	0	NO under .15
	.17 - .199	\$804.50		7	\$867.50		8	0	Yes
	.20 + or Refusal	\$867.50		8	\$930.50		9	0	Yes
1 <sup>st</sup> w/ minor under 16	.169 & below Restricted Controlled Substance	\$1,109.00	10	12	\$1,172.00	30	14	0	NO under .15
	.17 - .199	\$1,172.00	10	14	\$1,235.00	40	16	0	Yes
	.20 + or Refusal	\$1,235.00	20	16	\$1,298.00	60	18	0	Yes
2 <sup>nd</sup>	.169 & below Restricted Controlled Substance	\$1,109.00	10	12	\$1,172.00	30	14	45 Days	Yes
	.17 - .199	\$1,172.00	10	14	\$1,235.00	40	16	45	Yes
	.20 + or Refusal	\$1,235.00	20	16	\$1,298.00	60	18	45	Yes
2 <sup>nd</sup> w/ minor under 16	.169 & below Restricted Controlled Substance	\$1,550.00	20	12	\$1,676.00	60	14	45 Days	Yes
	.17 - .199	\$1,676.00	20	14	\$1,802.00	80	16	45	Yes
	.20 + or Refusal	\$1,802.00	40	16	\$1,928.00	120	18	45	Yes
3 <sup>rd</sup>	.169 & below Restricted Controlled Substance	\$1,424.00	60	24	\$1,487.00	80	27	45 Days	Yes
	.17 - .199	\$2,180.00	80	27	\$2,306.00	110	30	45	Yes
	.20 - .249 or Refuse	\$2,936.00	110	30	\$3,071.00	140	30	45	Yes
	.25 +	\$3,692.00	110	30	\$3,833.00	140	30	45	Yes
4 <sup>th</sup>	.079 & below	\$1,424.00	150	27	\$1,487.00	170	30	45	Yes
	.08 - .169	\$1,802.00	230	27	\$1,865.00	270	30	45	Yes
	.17 - .199	\$2,180.00	270	30	\$2,309.00	330	33	45	Yes
	.20 - .249 or Refuse	\$2,944.00	330	33	\$3,071.00	350	36	45	Yes
	.25 +	\$3,706.00	330	33	\$3,833.00	350	36	45	Yes

- The IID surcharge of \$50 is included on all fines **except** BAC.169 & below for 1<sup>st</sup> offenses on the chart. If the court does not impose IID, the \$50 must be subtracted from the total fine.
- IID (Ignition Interlock Device) is **MANDATORY** for all vehicles registered in defendant's name §343.301(1g), **unless** doing so would cause a financial hardship. §343.301(1m). Immobilization is no longer an option.
- Probation is available for 2<sup>nd</sup> (2 yrs), 3<sup>rd</sup> (2 yrs), and 4<sup>th</sup> (3 yrs) offenses if at least the minimum mandatory jail is imposed as a condition. §§973.09(1)(d) & 973.09(2)(am).
- Court prohibited from staying sentences for 3<sup>rd</sup> and subsequent offenses. §973.15(8)(a)3.