

Effective January 1, 2008	Penalty Structure	Revised : September 2008
<u>First OUI</u> BAC 0.08 5-395A.1, 5-395A.2 Class I Misdemeanor	250.00 mandatory minimum 80% Court imposed surcharge 500.00 prison fee plus 500.00 for general fund 10 days jail – all but 24 hours may be waived PLUS hours community service may be ordered	\$1450.00
<u>Second OUI Within 84 Months</u> BAC 0.08 5-395A.1, 5-395A.2 Class I Misdemeanor	500.00 mandatory minimum 400.00 80% Court imposed surcharge 1250.00 prison fee plus 1250.00 for general fund 90 days jail – all but 30 days may be waived PLUS 30 hours community service	\$3400.00
<u>First Extreme OUI</u> BAC 0.15 5-397A.1 plus 5-395A.1, 5-395A.2 Class I Misdemeanor	250.00 mandatory minimum 200.00 80% Court imposed surcharge plus 250.00 DUI Abatement fee 1000.00 prison fee plus 1000.00 general fund 30 days jail – all but 10 days may be waived PLUS 30 hours community service	\$2700.00
<u>Second Extreme OUI Within 84 Months</u> BAC 0.15 but not more than 0.20 5-397A.1 plus 5-395A.1, 5-395A.2, Class I Misdemeanor	500.00 mandatory minimum 400.00 80% Court imposed surcharge plus 250.00 DUI Abatement fee 1250.00 prison fee, 1250.00 general fund 120 days jail – all but 60 days may be waived PLUS 30 hours community service	\$3650.00
<u>First Super Extreme OUI</u> BAC over 0.20 5-397A.2 plus 5-395A.1, 5-395A.2, Class I Misdemeanor	500.00 mandatory minimum 400.00 80% Court imposed surcharge plus 250.00 DUI Abatement fee 1000.00 prison fee, 1000.00 general fund 45 days jail PLUS 30 hours community service	\$3150.00
<u>Second Super Extreme OUI Within 84 Months</u> BAC over 0.20 5-397A.2 plus 5-395A.1, 5-395A.2 Class I Misdemeanor	1000.00 mandatory minimum 800.00 80% Court imposed surcharge plus 250.00 DUI Abatement fee 1250.00 prison fee, 1250.00 general fund 180 days jail – all but 90 must be served PLUS 30 hours community service	\$4550.00
<u>Aggravated OUI (Criteria 1)</u> 3 rd or more OUI w/in 84 months 5-396A.1, plus 5-395A.1, 5-395A.2 Class 4 Felony	750.00 mandatory minimum 600.00 80% Court imposed surcharge plus 250.00 DUI Abatement fee 1500.00 prison fee plus 1500.00 to general fund Four months jail	\$4600.00
<u>Aggravated OUI (Criteria 2)</u> 5-396A.2 plus 5-395A.1, 5-395A.2 With juvenile under age 15 on board Commits: -Recklessly endangers 15 year old -2 nd violation of 5-395 w/in 84 Mos. -A violation of 5-397 Class 6 Felony	750.00 mandatory minimum 600.00 80% Court imposed surcharge plus 250.00 DUI Abatement fee 1500.00 prison fee plus 1500.00 to general fund Four months jail	\$4600.00
<u>Refusal</u>	No penalty	