

OWI AND RELATED ALCOHOL AND DRUG PENALTIES (AS OF 2009 ACT 100; JULY 1, 2010)

Conviction	Fine or Forfeiture	Jail	Suspension or Revocation	Occupational License	Alcohol Assessment	Demerit Points
OWI First ⁹ [346.63(1)(a),(am),(b)] (Per se AC ≥ .08) [340.01(46m)(a)] Restricted controlled substance [340.01(50m)] ¹⁴	\$150-\$300 ^{5,10} [346.65(2)(am)1] (plus \$365 OWI surcharge) [346.655]	No. If passenger < 16 yr old: 5 days to 6 months [346.65(2)(f)1]	6 - 9 month revocation ^{5,17} [343.30(1q)(b)2] If AC of 0.15 or higher: Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply immediately [343.30(1q)(b)2]	Yes	6
OWI, Second ^{1,9,14} (Per se AC ≥ .08) [340.01(46m)(a)]	\$350-1,100 ^{5,10} [346.65(2)(am)2] (plus \$365 OWI surcharge)	5 days - 6 months ^{5,10,18} [346.65(2)(am)2] Safe Streets option: 5 days - 7 days ¹⁵ [346.65(2)(bm)]	12 - 18 month revocation ^{5,17} [343.30(1q)(b)3] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)3],[343.307(1)]	Yes	6
OWI, Third ^{1,9,14,16} (Per se AC ≥ .08) [340.01(46m)(a)]	\$600-2,000 ^{5,10} [346.65(2)(am)3] (plus \$365 OWI surcharge)	45 days - 1 year ^{5,18} [346.65(2)(am)3] Safe Streets option: 14 days - 1 year ¹⁵ [346.65(2)(cm)]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3,8} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4],[343.307(1)]	Yes	6
OWI, Fourth ^{1,9,14,16} none within previous 5 years (Per se AC > .02) [340.01(46m)(c)]	\$600-2,000 ^{5,10} [346.65(2)(am)4] (plus \$365 OWI surcharge)	60 days - 1 year ^{5,18} [346.65(2)(am)4] Safe Streets option: 14 days - 1 year ¹⁵ [346.65(2)(dm)]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4],[343.307(1)]	Yes	6
OWI, Fourth ^{1,9,14,16} including 1 or more within previous 5 years [340.01(46m)(c)]	\$600-10,000 ^{5,10} [346.65(2)(am)4m] (plus \$365 OWI surcharge)	6 months - 6 years [346.65(2)(am)4m]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4],[343.307(1)]	Yes	6
OWI, Fifth or Sixth ^{1,9,14,16} (Per se AC > .02) [340.01(46m)(c)]	\$600-10,000 ¹⁰ [346.65(2)(am)5] [939.50(3)(h)] (plus \$365 OWI surcharge)	6 months - 6 years ^{5,18} imprisonment [346.65(2am)5] [939.50(3)(h)]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4],[343.307(1)]	Yes	6
OWI, Seventh, Eighth, or Ninth ^{1,9,14,16} (Per se AC > .02) [340.01(46m)(c)]	Up to \$25,000 ¹⁰ [346.65(2)(am)6] [939.50(3)(g)] (plus \$365 OWI surcharge)	3 - 10 years ¹⁸ imprisonment [346.65(2am)6] [939.50(3)(g)]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4],[343.307(1)]	Yes	6
OWI, Tenth or more ^{1,9,14,16} (Per se AC > .02) [340.01(46m)(c)]	Up to \$25,000 ¹⁰ [346.65(2)(am)7] [939.50(3)(f)] (plus \$365 OWI surcharge)	4 - 12.5 years ¹⁸ imprisonment [346.65(2am)7] [939.50(3)(f)]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4],[343.307(1)]	Yes	6
Causing Injury While OWI with no prior OWI offense or chem test refusal ^{9,14} [346.63(2)(a)]	\$300-2,000 ^{5,10} [346.65(3m)] (plus \$365 OWI surcharge)	30 days - 1 year ^{5,18} [346.65(3m)] Safe Streets option: 15 days - 1 year ¹⁵ [346.65(3r)]	1 - 2 year revocation ^{5,7,17} [343.31(3)(e)] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 60 days After 12 months if 2 or more offenses with 5 years [343.31(3m)(b)]	Yes	6
Causing Injury while OWI if any prior OWI offense or chem test refusal ^{9,14} [346.63(2)(a)]	Up to \$10,000 ^{5,10} [346.65(3p)] (plus \$365 OWI surcharge)	Up to 6 years [346.65(3p)]	2 - 3 year revocation ^{5,17} [343.30(1q)(b)4] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 45 days ^{2,3} After 12 months if 2 or more offenses with 5 years [343.30(1q)(b)4]	Yes	6
Causing Great ^{4,9,14} Bodily Harm by OWI [940.25(1)]	Up to \$25,000 ^{5,6,9,10} [939.50(3)(f)] (plus \$365 OWI surcharge)	Up to 12.5 years ^{5,6,9} imprisonment [939.50(3)(f)]	2 year revocation ^{4,5,6,17} [343.31(3)(f)] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 120 days After 12 months if 2 or more offenses with 5 years [343.31(3m)(a)]	Yes	6
Homicide While OWI ^{4,9,14} [940.09(1)]	Up to \$100,000 ^{5,6,9,10} [939.50(3)(c),(d)] (plus \$365 OWI surcharge)	Up to 25 years ^{5,6,9} If one or more prior OWI-related offense, up to 40 years [939.50(3)(c),(d)]	5 year revocation ^{4,5,6,17} [343.31(3)(c)] Vehicle equipped with IID ⁷ [343.301(1g)]	Can apply after 120 days After 12 months if 2 or more offenses with 5 years [343.31(3m)(a)]	Yes	6
Chemical Test Refusal ^{7,9} (First) [343.305(9)]			1 year revocation ^{5,17} [343.305(10)(b)2] Vehicle equipped with IID ⁷ [343.305(10m)]	Can apply after 30 days [343.305(10)(b)2]	Yes	0
Chemical Test Refusal ^{1,7,9} (Second) [343.305(9)]			2 year revocation ^{5,17} [343.305(10)(b)2] Vehicle equipped with IID ⁷ [343.305(10m)]	Can apply after 90 days After 12 months if 2 or more offenses with 5 years [343.305(10)(b)3]	Yes	0
Chemical Test Refusal ^{1,7,9} (Third or greater) [343.305(9)]			3 year revocation ^{5,17} [343.305(10)(b)4] Vehicle equipped with IID ⁷ [343.305(10m)]	Can apply after 120 days After 12 months if 2 or more offenses with 5 years [343.305(10)(b)4]	Yes	0
Administrative Suspension for Prohibited Alcohol Concentration [343.305(7)]			6 month suspension [343.305(7)(a)] CDL disqualification (if CDL holder) [343.315(3)(b)]	Can apply immediately [343.305(8)(d)]		0
Open Container (Driver or passenger) ¹³ [346.935(1)]	\$100 [346.95(2m)]					

¹ Generally, second offenses are counted within a 10-year period. Third and subsequent are counted within an individual's lifetime dating back to 1/1/89. [346.65(2)(b)-(e), 343.305(10)(b)3-4, 1997 Wis Act 237-s. 9348(2f)] The 10-year and lifetime periods are measured from the date of refusal or violation that resulted in conviction. [346.65(2c)]

² Absolute sobriety is mandatory for an occupational license for persons with two or more suspensions, revocations or convictions. [343.10(5)(a)(2)]

³ Persons with two or more suspensions, revocations or convictions counted under 343.307(1), must complete assessment and be in compliance with a driver safety plan to be eligible for an occupational license. [343.10(2)(e), 343.30(1q)(c)]

⁴ If repeat offender, every vehicle owned by the offender must be equipped with an ignition interlock device (IID). [940.09(1d), 940.25(1d)]

⁵ Fines, forfeitures, jail and revocation/suspension penalties are doubled for a person convicted of OWI if a person under 16 years of age was in the vehicle at the time of the offense. [343.30(1q)(b)4m, 343.305(10)(b)4m.(em), 343.31(3)(bm)4m.(c),(e),(f) and 346.65(2)(f),(3m)]

⁶ Fines, forfeitures, jail and revocations or suspensions are doubled if a pregnant woman is in the vehicle at the time the driver committed the offense. 343.31(3)(c),(f)]

⁷ Unless undue financial hardship would ensue, every vehicle titled or registered in the offender's name must be equipped with IID. Also, the offender's Class D operating privileges must be restricted to vehicles equipped with IID. [343.301(1)(a) and (2)(a)] While subject to IID order, offender is subject to 0.02 AC per se limit. IID restriction on operating privilege begins on date DOT issues the offender any operator's license and continues for one year or the period of revocation, whichever is longer [343.301(2m)]. No occupational license may be issued to an offender who fails to pay \$50 IID Surcharge or who fails to comply with IID order.

⁸ Additional fees, assessments and surcharges also apply. [165.755(1), 302.46, 346.655(1), 757.05(1), 814.63(1), 814.65(1), 814.85(1), 814.86(1)]

⁹ If offense is committed while operating a commercial motor vehicle, then penalties include a 1 year CDL disqualification (3 year disqualification if transporting hazardous materials, or lifetime disqualification for 2nd offense since July 1, 1987). [343.315(2)(a)(b)(c)]

¹⁰ Forfeitures and fines are increased for OWI offenses with AC of 0.17 or higher. [346.65(2)(g)]

¹¹ For the scale of demerit points for all traffic violations, see Trans 101.02, Wisconsin Administrative Code, and 343.32(2); newly licensed and unlicensed drivers may be subject to increased demerit points. [343.32(2)(bc)]

¹² Persons whose operating privileges have been suspended or revoked may apply for an occupational license to drive between home and work or school. [343.10]

¹³ Both drivers and passengers can be ticketed for the presence of an unsealed container of an intoxicating beverage in the passenger compartment of a vehicle. [346.935]

¹⁴ 2003 Wisconsin Act 97, no person may operate a motor vehicle with any detectable presence of a restricted controlled substance in his or her bloodstream. Violations are treated as OWI, and are subject to the same penalties as OWI.

¹⁵ Under the "Safe Streets" option, mandatory minimum jail sentences are reduced only if the person completes probation including alcohol and other drug treatment.

¹⁶ For 3rd or subsequent offense, pre-sentence release and stay of execution of jail or prison term is prohibited until after mandatory minimum time of confinement has been served, with exceptions for probation or legal cause. [969.01(2)(a)]

¹⁷ Period of license revocation begins on date of conviction and is extended by the number of days the offender is sentenced to jail or prison. [343.30(1r)]

¹⁸ Probation is a sentencing option, but offender must serve at least the mandatory minimum jail or prison term.

SOURCE: DOT-Bureau of Transportation Safety; DOT-Office of General Counsel

**UNDERAGE ALCOHOL OFFENSES AND RELATED PENALTIES
(AS OF 2009 ACT 100; JULY 1, 2010)**

Conviction	Fine or Forfeiture⁵	Driver License Suspension or Revocation	Supervised Work Program	Court Ordered Stay¹	Assessment¹	Demerit Points
Absolute Sobriety "Not a Drop" Law (If under age 21) [346.63 (2m)]	\$200 ³ fine [346.65(2q)]	3 month suspension ³ [343.30(1p)] Occupational - immediately				4 [343.32(2)(bj)]
Underage Alcohol (Procure or Misrepresent Age)(age 17-20) [125.07(4)(a)] or local ordinance	1st: \$250-\$500 forfeiture 2nd in a year: \$300-\$500 3rd in a year: \$500-\$750 4th & subsequent in a year: \$750-\$1,000 [125.07(4)(bs)]	1st: 30-90 day suspension ⁴ 2nd: up to 1 yr. suspension ² 3rd & subsequent: up to 2 yr. Suspension ² [343.30(6)(b)]	Yes - Court option as an alternative [125.07(4)(bs)]	Yes - Court option as an alternative [125.07(4)(e) ²]	Mandatory, if Court orders stay of sentence [125.07(4)(e)2a]	
Juvenile Alcohol (Procure or Misrepresent Age) (under 17) [125.07(4)(a)] or local ordinance	1st: \$250-\$500 forfeiture 2nd in a year: \$300-\$500 3rd & subsequent in a year: \$500 [938.344(2b)(a)-(c)]	1st: 30-90 day suspension ⁴ 2nd: up to 1 yr. suspension ² 3rd & subsequent: up to 2 yr. Suspension ² [343.30(6)(b)]	Yes - Court option as an alternative [938.344(2b)]	Yes - Court option as an alternative [938.344(2g)(a)]	Mandatory, if Court orders stay of sentence [938.344(2g)(a)1]	
Underage Alcohol (Possess or Consume) (age 17-20) [125.07(4)(b)] or local ordinance	1st: \$100-\$200 forfeiture 2nd in a year: \$200-\$300 3rd in a year: \$300-\$500 4th & subsequent in a year: \$500-\$1,000 [125.07(4)(c)]	1st: 30-90 day suspension ⁴ 2nd: up to 1 yr. suspension ² 3rd & subsequent: up to 2 yr. Suspension ² [343.30(6)(b)]	Yes - Court option as an alternative [125.07(4)(c)]	Yes - Court option as an alternative [125.07(4)(e)2]	Mandatory, if Court orders stay of sentence [125.07(4)(e)2a]	
Juvenile Alcohol (Possess or Consume) (age 17-20) [125.07(4)(b)] or local ordinance	1st: Up to \$50 forfeiture 2nd in a year: Up to \$100 3rd & subsequent in a year: Up to \$500 [938.344(2)(a)-(c)]	1st: 30-90 day suspension ⁴ 2nd: up to 1 yr. suspension ² 3rd & subsequent: up to 2 yr. Suspension ² [343.30(6)(b)]	Yes - Court option as an alternative [938.344(2)]	Yes - Court option as an alternative [938.344(2g)(a)]	Mandatory, if Court orders stay of sentence [938.344(2g)(a)1]	
Underage False ID (Use or Possess) (age 17-20) [125.085(3)(b)]	\$300-\$1,250 forfeiture [125.085(3)(bd)]	30-90 day suspension ⁴ [343.30(6)(bm)]	Yes - Court option as an alternative [125.085(3)(bd)]			
Juvenile False ID (Use or Possess) (under 17) [125.085(3)(b)]	1st: \$100-\$500 forfeiture 2nd in a year: \$300-\$500 3rd & subsequent in a year: \$500 [938.344(2d)(a)-(c)]	1st: 30-90 day suspension ⁴ 2nd: up to 1 yr. suspension ² 3rd & subsequent: up to 2 yr. Suspension ² [343.30(6)(b)]	Yes - Court option as an alternative [938.344(2d)]	Yes - Court option as an alternative [938.344(2g)(a)]	Mandatory, if Court orders stay of sentence [938.344(2g)(a)1]	
Intoxicants In Vehicle (Underage persons) [346.93]	\$20-\$400 forfeiture [346.93(2g)]	1st: 30 day - 1 yr. suspension 2nd: up to 1 yr. suspension ² 3rd & subsequent: up to 2 yr. Suspension ² [343.30(6)(b)]				

¹ If the defendant agrees, the court may stay enforcement of the sentence conditioned on voluntary AODA assessment and participation in a court-approved alcohol abuse education program or enrollment in a treatment program; however, the court may not stay, suspend or modify a mandatory drivers license suspension.

² Suspension is permissive for 1st offense, but mandatory for 2nd and subsequent offenses within 12 months that involve a motor vehicle.

³ Forfeiture, costs and period of suspension are doubled if a passenger under 16 years of age was in the vehicle at the time of the offense. [343.30(1p), 346.65(2q)]

⁴ If a person does not hold a valid license at the time of disposition, the suspension period begins on the date on which the person is first eligible for issuance, renewal, or reinstatement of an operator's license. [343.30(6)(b),(d)]

⁵ Additional fees, assessment and surcharges will apply.

COMMENTS ON PENALTIES FOR UNDERAGE ALCOHOL OFFENSES

Persons whose licenses are suspended or revoked for underage alcohol violations other than *Absolute Sobriety* are eligible for occupational licenses 15 days after the suspension or revocation begins. [343.10(2)(a)4] Those whose licenses are suspended for violating the *Absolute Sobriety* or "Not a Drop" law are eligible for occupational licenses immediately. [346.63(2m)]

Like persons aged 21 or older, underage persons are subject to the provisions of Wisconsin laws prohibiting operating/driving motor vehicles while intoxicated. These laws include impairment/intoxication resulting from the use of illegal, over the counter or prescription drugs or combinations of drugs or alcohol. It is illegal in Wisconsin to operate snowmobiles, all-terrain vehicles, motor boats, aircraft and other motor vehicles with a detectable presence of restricted controlled substances in the bloodstream or while

Underage Alcohol conviction records of juveniles (under age 17) are largely confidential. The Department of Transportation may not disclose information concerning a suspension, revocation or restriction as a result of a juvenile's underage alcohol conviction to any person other than a court, district attorney, municipal prosecuting attorney, law enforcement agency, the underage individual or his/her parents or legal guardian. [343.30(5), 343.24(3)]

SOURCE: DOT-Bureau of Transportation Safety; DOT-Office of General Counsel

**COMMERCIAL DRIVER LICENSE ALCOHOL AND OTHER DRUG OFFENSES AND RELATED PENALTIES
(AS OF 2009 ACT 100; JULY 1, 2010)**

Violation in CMV	Fine / Forfeiture / Jail³	Effect on CDL	Effect on Class D/M License	Occupational License (class D/M)⁶
Any measurable alcohol concentration (AC > 0.0), possession of alcohol, operation within 4 hours after consuming [346.63(7)]	\$10 forfeiture [346.65(2u)(a)]	24 Hr Out-of-Service [343.315(2)(g)]	Subject to 24-hour license seizure [346.65(2u)(b)] [343.305(7)(b)]	
AC ≥ .04 and < .08 ^{2,4} 1st Offense [346.63(5)]	\$150-\$300 forfeiture ^{1,8} [346.65(2j)(am)]	1 Yr Disq 3 Yr Disq if (H) [343.315(2)(a),(b)]	Subject to 24-hour license seizure ⁵ [343.305(7)(b)]	After 15 days [343.10(2)(a)2]
AC ≥ .04 and < .08 ^{2,4} 2nd Offense [346.63(5)]	\$300-\$1,000 fine ^{1,8,11} 5 days - 6 mo jail [346.65(2j)(am)] Safe Streets option 5 days - 7 days ¹⁰ [346.65(2j)(bm)]	Lifetime Disq [343.315(2)(c)]	Subject to 24-hour license seizure ⁵ [343.305(7)(b)]	After 15 days [343.10(2)(a)2]
AC ≥ .04 and < .08 ^{2,4} 3rd or Subsequent Offense [346.63(5)]	\$600-\$2,000 fine ^{1,8,11} 45 days - 1 yr jail [346.65(2j)(am)] Safe Streets option 14 days - 45 days ^{10,11} [346.65(2j)(cm)]	Lifetime Disq [343.315(2)(c)]	Subject to 24-hour license seizure ⁵ [343.305(7)(b)]	After 15 days [343.10(2)(a)2]
AC ≥ .04 and < .08 ² Causing Injury [346.63(6)]	\$300-\$2,000 fine ^{1,8} 30 days - 1 yr jail [346.65(3m)] Safe Streets option 15 days - 30 days ^{1,10} [346.65(3r)]	1 Yr Disq / 3 Yr if (H) (life for 2nd offense) [343.315(2)(a),(b),(c)]	1 year revocation ¹ [343.31(1)(ar),(3)(a)]	After 15 days [343.10(2)(a)2]
AC ≥ 0.04 < 0.08 ² Causing Injury if any prior AC ≥ 0.04 and < 0.08 or OWI offense	\$600-\$10,000 fine 6 mo - 6 yr prison	1 Yr Disq / 3 Yr if (H) (life for 2nd offense) [343.315(2)(a),(b),(c)]	1 year revocation ¹ [343.31(1)(ar),(3)(a)]	After 15 days [343.10(2)(a)2]
AC ≥ .04 and < .08 Causing Great Bodily Harm [940.25(1)(bm)]	Up to \$25,000 fine ^{6,7,8} up to 12.5 yrs prison [939.50(3)(f)]	1 Yr Disq / 3 Yr if (H) (life for 2nd offense) [343.315(2)(a),(b),(c)]	2 year revocation ^{1,7} [343.31(3)(f)]	After 120 days or, if 2 or more offenses within 5 years, after 1 year [343.31(3m)(a)]
AC ≥ .04 and < .08 Causing Death [940.09(1)(bm)]	Up to \$100,000 fine ^{6,7,8} up to 40 yrs prison [939.50(3)(c),(d)]	1 Yr Disq / 3 Yr if (H) (life for 2nd offense) [343.315(2)(a),(b),(c)]	5 year revocation ¹ [343.31(3)(c)]	After 120 days or, if 2 or more offenses within 5 years, after 1 year [343.31(3m)(a)]
Chemical Test Refusal ⁴ 1st Offense [343.305(9)(am)]		24 Hr Out-of-Service [343.305(9)(am)] 1 Yr Disq [343.315(2)(a)] 3 Yr Disq if "H" [343.315(2)(b)]	1 year revocation ^{1,5} [343.305(10)(b)2]	After 30 days [343.305(10)(b)2]
Chemical Test Refusal ⁴ 2nd Offense (Within 10 years) [343.305(9)(am)]		Lifetime Disq [343.315(2)(c)]	2 year revocation ^{1,5,9} [343.305(10)(b)3]	After 90 days or, if 2 or more offenses within 5 years, after 1 year [343.305(10)(b)3]
Chemical Test Refusal ⁴ 3rd Offense (Within lifetime) [343.305(9)(am)]		Lifetime Disq [343.315(2)(c)]	3 year revocation ^{1,5,9} [343.305(10)(b)4]	After 120 days or, if 2 or more offenses within 5 years, after 1 year [343.305(10)(b)4]
Using a CMV to make, dispense, or distribute drugs feloniously	Varies depending upon drug crime	Lifetime Disq [343.315(2)(e)]	1 year revocation [343.31(1)(c),(3)(a)]	After 15 days [343.10(2)(a)4]

¹ Fines, forfeitures, jail and revocation / suspension penalties are doubled for a person convicted of OWI when a person under 16 years of age was in the vehicle at the time of the offense. [343.30(1q)(b)4m and (3)(e), 343.305(10)(b)4m, 343.31(3)(c), 346.65(2j)(d),(2q) and (3m)] For third and subsequent regular OWI offenses, fines are also increased according to blood alcohol level. [346.65(2)(g)]

² If AC meets or exceeds .08 or the prohibited alcohol concentration as defined in 340.01(46m), or involves the detectable presence of restricted controlled substances, the offense is punishable under 346.63(1) or 346.63(2)(am), with CDL disqualification under 343.315.

³ Additional fees, assessments and surcharges also apply [165.755(1), 302.46, 346.655(1), 757.05(1), 814.63(1), 814.65(1), 814.85(1), 814.86(1)].

⁴ Prior offenses counted include injury or homicide by intoxicated motor vehicle use, and other OWI-related offenses committed after January 1, 1989, or the date specified in the relevant statute.

⁵ License subject to 24-hour seizure if AC > 0.0 or if driver refuses to take an AC test. [343.305(9)(a),(am)]

⁶ No Occupational license can authorize the operation of a commercial motor vehicle during the time of CDL disqualification. [343.10(2)(c)]

⁷ Fines, jail penalties and revocation periods are doubled if a pregnant woman is present in the vehicle at the time of the offense. [343.31(3)(f), 940.25(1)(c)]

⁸ Plus OWI \$365 surcharge. [346.655]

⁹ The vehicle owned by the offender and used in the offense may be immobilized or equipped with an ignition interlock device (IID), or the offender's operating privilege for class D vehicles may be restricted to operating only Class D vehicles equipped with an IID. [343.305(10m)]

¹⁰ Under the "Safe Streets" option, mandatory minimum jail sentences are reduced only if the offender successfully completes probation including alcohol and other drug treatment.

¹¹ Probation is a sentencing option, but offender must serve at least the mandatory minimum jail term.

Note: Similar convictions in other jurisdictions may cause a driver to lose his or her Commercial Drivers License.

CMV = Commercial motor vehicle CDL = Commercial driver license Disq = Disqualified (cannot drive CMV or get CDL-OCC) OCC = Occupational license
OWI = Operating while intoxicated AC = Alcohol concentration (H) = Hauling hazardous materials requiring placarding [343.125] at time of offense

SOURCE: DOT-Bureau of Transportation Safety; DOT-Office of General Counsel