

PENNSYLVANIA DUI LAW

IMPAIRMENT LEVEL	FIRST OFFENSE*	SECOND OFFENSE*	THIRD OFFENSE*	FOURTH OFFENSE*
<p>General</p> <p>B.A.C. = .08 - .099% Incapable of Safe Driving</p>	<p>Ungraded misdemeanor** 6 month maximum probation <i>No license suspension</i> <i>No mandatory jail time</i> \$300 fine + Court related fees Attend Alcohol Highway Safety School Up to 150 hours community service Court Reporting Network (CRN) evaluation Pending CRN, full assessment and compliance with drug & alcohol (D&A) treatment as part of sentencing</p>	<p>Ungraded misdemeanor** 5 days to 6 month prison \$300 - \$2,500 fine + Court related fees 12 month license suspension Attend Alcohol Highway Safety School Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>Second degree misdemeanor 10 days to 2 years prison 12 month license suspension \$500 - \$5,000 + Court related fees Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>Same as Third Offense</p>
<p>High Rate</p> <p>3208(b),(e), & (f)</p> <p>B.A.C. = .10 - .159% Minor Impairment with an accident B.A.C. = .02 - .159% General Impairment with an accident B.A.C. = .08 - .099% School Bus driver B.A.C. = .02 - .159% Commercial Vehicle driver B.A.C. = .04 - .159%</p>	<p>Ungraded misdemeanor** 12 month license suspension <i>(Occupational license after 60 days)</i> \$500 - \$5,000 fine + Court related fees ARD Eligible Attend Alcohol Highway Safety School Up to 150 hours community service CRN evaluation Pending CRN, full assessment and compliance with drug & alcohol (D&A) treatment as part of sentencing</p>	<p>Ungraded misdemeanor** 30 days to 6 month prison \$750 - \$5,000 fine + Court related fees 12 month license suspension Attend Alcohol Highway Safety School Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>First degree misdemeanor 90 days to 5 years prison 18 month license suspension \$1,500 - \$10,000 fine + Court related fees Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>First degree misdemeanor 1 year to 5 years prison 18 month license suspension \$1,500 - \$10,000 fine + Court related fees Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>
<p>High Rate</p> <p>3802 (c) & (d)</p> <p>B.A.C. = .16% or above Refusal of chemical test Controlled substance DUI DUI with crash, damage or injuries B.A.C. = .10% and higher</p>	<p>Ungraded misdemeanor** 72 hours to 6 months prison 12 month license suspension <i>(Occupational license after 60 days)</i> \$1,000 - \$5,000 fine + Court related fees ARD Eligible Attend Alcohol Highway Safety School Up to 150 hours community service CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>First degree misdemeanor 90 days to 5 years prison 18 month license suspension \$1,500 - \$10,000 fine + Court related fees Attend Alcohol Highway Safety School Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>First degree misdemeanor 1 year to 5 years prison 18 month license suspension \$2,500 - \$10,000 fine + Court related fees Up to 150 hours community service Mandatory 1 year Ignition Interlock CRN evaluation Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing</p>	<p>Same as Third Offense</p>
Read from left to right		*Offenses are calculated within a 10 yr period of time		**Ungraded misdemeanors are not permitted jury trials
When full assessment is completed and the assessment indicates a need for counseling or treatment, the Court is required to order treatment as indicated by the assessment. When the Court orders treatment or counseling, the Court is required to order the statutory maximum as the top end of the Offender's sentence.				