

Arizona DUI / DWI Regulations

DUI / DWI Statute	<u>§28-1381, et seq.</u>
Criteria for DUI / DWI	<p>BAC \geq 0.00 if under 21 years old ("zero tolerance") BAC \geq 0.04 while operating a commercial motor vehicle BAC \geq 0.08 for all non-commercial drivers 21 years old or older BAC \geq 0.15, \geq 0.19 Extreme DUI BAC \geq 0.20 Super Extreme DUI</p> <p>"Extreme" and "Super Extreme"s may also be charged when:</p> <ul style="list-style-type: none"> ✧ A minor under 15 is in the car at the time of arrest ✧ The driver's license is suspended or revoked ✧ The driver has multiple DUIs or past criminal record
Penalties for 1 st offense	<ul style="list-style-type: none"> ✧ Ten (10) days in jail. Nine (9) of those days in jail may be suspended upon successful completion of alcohol or drug abuse screening, counseling and treatment. ✧ A fine of \$250.00 plus surcharges. ✧ A \$500.00 Prison Construction and Operations Fund fee. ✧ A \$500.00 Public Safety Equipment Fund fee. ✧ Up to five (5) years of supervised or unsupervised probation. ✧ Installation of an Ignition Interlock Device for twelve (12) consecutive months. <p>MVD will also assess eight (8) points to driving record, require successful completion of Traffic Survival School, and suspend driving privileges for ninety (90) days.</p>
"Look back" period	7 years
Penalties for repeat offender	<p>EXTREME DUI:</p> <ul style="list-style-type: none"> ✧ Thirty (30) consecutive days in jail. ✧ Alcohol abuse screening, counseling and treatment. ✧ Community Restitution may be ordered. ✧ A fine of \$250.00 plus surcharges. ✧ A \$250.00 DUI Abatement Fund Fee. ✧ A \$1,000.00 Prison Construction and Operations Fund fee. ✧ A \$1,000.00 Public Safety Equipment Fund fee.

*National Motorists Association
December 2015*

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	<ul style="list-style-type: none"> ✧ Up to five (5) years of supervised or unsupervised probation. ✧ Installation of an Ignition Interlock Device for twelve (12) consecutive months. ✧ MVD will also assess eight (8) points to driving record, require successful completion of Traffic Survival School, and suspend driving privileges for ninety (90) days. <p>SUPER EXTREME DUI:</p> <ul style="list-style-type: none"> ✧ Forty-five (45) consecutive days in jail. ✧ Alcohol abuse screening, counseling and treatment. ✧ Community Restitution may be ordered. ✧ A fine of \$500.00 plus surcharges. ✧ A \$250.00 DUI Abatement Fund Fee. ✧ A \$1,000.00 Prison Construction and Operations Fund fee.
License suspensions	<p>1st offense: 90 days</p> <p>2nd offense: 1 year</p> <p>3rd offense: 3 years</p>
Ignition interlocks	<ul style="list-style-type: none"> ✧ Required for all offenses, immediately after cessation of suspension ✧ 12 months for 1st offense and Extreme DUI ✧ 18 months for Super Extreme DUI <p>(Possible to have the last 6 months of a 12 month requirement for 1st offense forgiven, if certain criteria are met)</p>
Vehicle impoundment	Only on subsequent, Extreme, or Super Extreme DUIs
Open Container laws	<ul style="list-style-type: none"> ✧ Open container forbidden except in bus, limo, or taxi ✧ Class 2 misdemeanor ✧ Up to \$750 fine and up to 4 months in jail

Sources

<http://www.avvo.com/legal-guides/ugc/mandatory-minimum-sentences-for-first-time-misdemeanor-dui-convictions-in-arizona>
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