

Arkansas DUI / DWI Regulations

DUI / DWI Statute	<u>5-65-103, et seq.</u>
Criteria for DUI / DWI	<p>BAC \geq 0.02 if under 21 years old</p> <p>BAC \geq 0.04 while operating a commercial motor vehicle or school bus</p> <p>BAC \geq 0.08 for all non-commercial drivers aged 21 or older</p> <p>BAC \geq 0.16 enhanced penalties</p>
Penalties for 1 st offense	<ul style="list-style-type: none"> ✧ 6 months driver's license suspension ✧ Between one day and one year jail sentence ✧ Community service may be granted in lieu of jail ✧ \$150 - \$1,000 fine ✧ Potential required use of ignition interlock device ✧ Completion of Alcohol Education Program & \$150 license reinstatement fee <p>If a passenger under 16 was in the car, a 7 day to one year jail sentence will be imposed.</p>
"Look back" period	5 years
Penalties for repeat offender	<p>Second DUI Conviction:</p> <ul style="list-style-type: none"> ✧ Two-year driver's license suspension ✧ 7 days to 1 year jail sentence ✧ Community service may be granted in lieu of jail (30 days minimum) ✧ \$400 - \$3,000 fine ✧ Potential ignition interlock device requirement ✧ Completion of Alcohol Education Program & \$150 license reinstatement fee ✧ If a passenger under 16 was in the car, a 30 day to one year jail sentence will be imposed. <p>Third DUI Conviction:</p> <ul style="list-style-type: none"> ✧ 30-month driver's license suspension ✧ 90 days - 1 year jail sentence ✧ Community service may be granted in lieu of jail (120 days minimum) ✧ \$900 - \$5,000 fine ✧ Potential ignition interlock device requirement ✧ Completion of Alcohol Education Program & \$150 license reinstatement fee ✧ If a passenger under 16 was in the car, a 120 days to one year jail sentence will be imposed. <p>Fourth Offense:</p> <ul style="list-style-type: none"> ✧ 4-year driver's license suspension ✧ 1-6 year jail sentence ✧ Community service may be granted in lieu of jail (2 years minimum)

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	<ul style="list-style-type: none"> ✧ \$900 - \$5,000 fine ✧ Potential ignition interlock device requirement ✧ Completion of Alcohol Education Program & \$150 license reinstatement fee <p>Felony Offense: If a passenger under 16 was in the car, a 2-6 year jail sentence will be imposed.</p> <p>Penalties for Refusal</p> <ul style="list-style-type: none"> ✧ First refusal: 180-day driver's license suspension ✧ Second refusal: 2-year driver's license suspension ✧ Third refusal: Three-year driver's license suspension ✧ Fourth refusal: Lifetime driver's license revocation
License suspensions	<p>1st offense: 180 days 2nd offense: 2 years 3rd offense: 30 months 4th and subsequent offenses: 4years - life</p>
Ignition interlocks	Any person permitted to drive with a restricted license requiring an ignition interlock device may be required to continue using the ignition interlock device for up to one year after completion of license suspension period
Vehicle impoundment	Impoundment and forfeiture of vehicle for 4 th (or felony) DWI/DUI.
Open Container laws:	May not be accessible to the driver. Passengers may possess an open container but may not imbibe.

Source

- <https://www.arkansashighways.com/act300/AR%20Motor%20Veh%2011E.pdf>
- <http://littlerock.about.com/od/helpfulservices/a/Dui-dwi-Laws-In-Arkansas.htm>
- <https://www.edgarsnyder.com/drunk-driving/driving-alcohol-laws/arkansas.html>
- <http://dui.drivinglaws.org/resources/can-a-passenger-drink-alcohol.htm>
- <http://www.ncsl.org/research/financial-services-and-commerce/open-container-and-consumption-statutes.aspx>