

Indiana DUI / DWI Regulations

DUI / DWI Statutes	§9-30-5-1 , <i>et seq.</i> ; §9-30-10-4
Criteria for DUI / DWI	<p>BAC \geq 0.02 if under 21 years old BAC \geq 0.04 while operating a commercial motor vehicle BAC \geq 0.05 to 0.0799 all non-commercial drivers aged 21 years or older may be charged with DUI, but no statutory summary license suspension BAC \geq 0.08 for all non-commercial drivers 21 years old or older BAC \geq 0.15 enhanced penalties</p>
Penalties for 1 st offense	<ul style="list-style-type: none"> ✧ Up to 2 years driver's license suspension ✧ 5 days in jail or 180 hours of community service ✧ Possible drug/alcohol treatment ✧ Illegal per se offense with a BAC of 0.08 to 0.15 is a class C misdemeanor ✧ A BAC of 0.15 and higher is a class A misdemeanor
"Look back" period	<p>5 years (criminal) 10 years (Bureau of Motor Vehicles)</p>
Penalties for repeat offender	<p>Second DUI Conviction (within 10 years):</p> <ul style="list-style-type: none"> ✧ 180 day to 2 year driver's license suspension ✧ 10 days in jail or 360 hours of community service ✧ Possible drug/alcohol treatment ✧ Potential installation of ignition interlock device ✧ Second and subsequent convictions within 5 years is a class D felony <p>Penalties for Refusal:</p> <ul style="list-style-type: none"> ✧ 1-year driver's license suspension
License suspensions	<p>1st offense: Up to 2 years (1st offense) 2nd offense: 180 days to 2 years (1 year minimum if previous offense was within previous 5 years) 3rd offense: 1 to 10 years</p>
Ignition interlocks	<p>As a condition for obtaining probationary driving privileges, the court may require a defendant to use only vehicles equipped with ignition interlock devices for a term established by the court with the limitation that such term cannot exceed the maximum prison sentence; violation of this requirement is a Class A infraction.</p> <p>Other provisions of law also provide that a person convicted of an illegal per se/intoxicated offense (within 5 years or within 10 years but more than 5 years of a previous conviction) may be granted probationary (restricted) driving privileges on the condition that the person only operate vehicles equipped with ignition interlock devices.</p>

*National Motorists Association
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This information was current at the time of publication. The reader should check official sources for the latest version of regulations.

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Vehicle impoundment	Vehicle confiscation
Open Container laws:	Open container must be in locked glove box, trunk, or otherwise inaccessible to driver and passengers, but does not apply to passengers of hired vehicles, motor homes, or house trailers.

Sources

<http://www.shapirolozano.com/resources/indiana-owi-law/>

<http://www.myindianadefenselawyer.com/criminal-charges/drunk-driving-owi-2nd-offense/>

<http://resources.lawinfo.com/drunk-driving-defense/indiana/what-are-the-penalties-for-owi-conviction-in.html>

<http://dui.drivinglaws.org/resources/third-offense-dui-indiana.htm>

<https://iga.in.gov/legislative/laws/2015/ic/titles/009/>

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