DRUNK DRIVING PENALTIES

Driving While Intoxicated

DWI [.08% and higher Blood Alcohol Content (BAC) or other evidence of intoxication]

	FINE		JAIL SENTENCE	LICENSE ACTION
1ST Offense (Misdemeanor)	Minimum $ 500	Maximum $ 1,000	Up to 1 Year	Minimum 6-Month Revocation
2nd Offense (Within 10 years / Class E Felony)	Minimum $1,000	Maximum $ 5,000	Up to 4 Years	Minimum 1-Year Revocation*
3rd Offense (Within 10 years / Class D Felony)	Minimum $2,000	Maximum $10,000	Up to 7 Years	Minimum 1-Year Revocation*

A person convicted of DWI could be sentenced to 3 years probation for a misdemeanor conviction and 5 years probation for a felony conviction.

Aggravated Driving While Intoxicated

ADWI [.18% and higher Blood Alcohol Content (BAC)]

	FINE		JAIL SENTENCE	LICENSE ACTION
1ST Offense (Misdemeanor)**	Minimum $1,000	Maximum $ 2,500	Up to 1 Year	Minimum 1 Year Revocation
2nd Offense (Class E Felony)	Minimum $1,000	Maximum $ 5,000	Up to 4 Years	Minimum 18-Month Revocation
3rd Offense (Class D Felony)	Minimum $2,000	Maximum $10,000	Up to 7 Years	Minimum 18 Month Revocation

Driving While Ability Impaired

DWAI [more than .05% to less than .08% Blood Alcohol Content (BAC)]

	FINE		JAIL SENTENCE	LICENSE ACTION
1ST Offense (Traffic Infraction)	Minimum $ 300	Maximum $ 500	Up to 15 Days	90-Day Suspension
2nd Offense Within 5 years (Traffic Infraction)	Minimum $ 500	Maximum $ 750	Up to 30 Days	Minimum 6-Month Revocation*
3rd Offense Within 10 years (Misdemeanor)	Minimum $ 750	Maximum $1,500	Up to 180 Days	Minimum 6-Month Revocation*

Zero Tolerance

Drivers Under 21 [DMV administrative finding of .02% to .07% Blood Alcohol Content (BAC)]

	CIVIL PENALTY	LICENSE ACTION	ADDED FEE
1ST Offense	Minimum $125	6-Month Suspension	$100 Suspension Termination Fee
2nd Offense	Minimum $125	1-Year Revocation or until age 21, whichever is longer	$100 Re-Application Fee

* The Department of Motor Vehicles decides when your license can be returned. Its return or reinstatement, based on state law or regulation, is not automatic. You must apply for your license, pay civil penalities, a relicense fee and you may have to take a test.

** Cannot plead below DWI Misdemeanor

The Cost of a Drunk Driving Conviction

First Time Offender

Towing	$ 50 plus
Car Storage (Fee Per Day)	$ 45 plus
Defense Attorney	$500 to $1,500 plus
Bail Fee	0 to $ 250 plus
DWI Fine	$300 to $1,000
Court Surcharge for Crime Victims Assistance Fund	$ 20
Court Surcharge for Misdemeanor Level Crimes	$ 140
Alcohol Evaluation	$ 90 plus
DWI Victim Impact Panel Session	$ 25
Probation Supervision Fee	0 to $ 250 plus
Conditional License	$ 75
Drinking Driver Program Fee	$ 225
DMV Civil Penalty	$ 300
DMV License Reinstatement Fee	$ 50
Auto Insurance (additional cost per year)	$2,000 to $3,000
Total:	**$3,645 to $6,845**

How A DWI Conviction Affects Auto Insurance...

Little Known Facts!!!

- An insurance company can deny no fault coverage (personal injury protection for medical, rehabilitation and loss of wages) to the driver that causes a motor vehicle crash due to alcohol/drug involvement.
- An insurance company can deny parents whose child resides with them the standard or preferred rate due to the alcohol related driving offense of their child. In other words, the insurance rates for parents could increase simply because their child lives with them and has a DWI conviction.

A Message From County Executive Steve Levy

Amazing as it may seem, we still have to remind people from time to time about the dangers of drunk driving and its tragic consequences.

Nationwide, in just the past decade, nearly a quarter of a million people have had their lives cut short simply because someone attempted to drive drunk. It is an appalling statistic that causes family heartbreak from Suffolk County to San Francisco and nearly everywhere in between.

But in Suffolk, we are working hard to eliminate this plague of our roadways by treating it as the violent crime it is. Our police force has made tens of thousands of DWI arrests in just the past six years, and we have convicted more drunk drivers than ever before. By doing so, and by using better equipment and better methods of detection, we have cut the number of alcohol-related fatalities in half. And we are going to keep working to bring that number down.

If you care about eliminating drunk driving, you can do your part by reading this brochure and sharing it with those you care about. If you have any questions or require further information please call (631) 853-5715.

Sincerely,

Steve Levy

Steve Levy
County Executive

STOP DWI New York

SUFFOLK COUNTY

Penalties for Driving While Intoxicated in New York State

.08
Don't blow it.

New York State
STOP-DWI Foundation