

## OHIO 2019 DUI/OVI PENALTIES

Ohio OVI penalties progress based on the number of prior OVI convictions and whether you are charged with a low or high level OVI.

<b>1<sup>st</sup> OVI in 10 Years</b>	
<p style="text-align: center;"><b>Low Level:</b></p> <ul style="list-style-type: none"> <li>✘ Maximum Incarceration: 6 months</li> <li>✘ Minimum Incarceration: (a) 3 days of jail or (b) 3 days DIP (may avoid with interlock)</li> <li>✘ Probation up to 5 years</li> <li>✘ Fine: \$375 up to \$1,075</li> <li>✘ Optional order for forced alcohol/substance abuse assessment and forced treatment</li> <li>✘ License suspension of 1 to 3 years. No driving privileges during first 15 days (30 if refusal). May reduce suspension to 6 months with use of interlock.</li> <li>✘ License Reinstatement Fee of \$475.00</li> <li>✘ Restricted Plates optional.</li> <li>✘ Interlock optional</li> <li>✘ 6 points assessed to driving record</li> </ul>	<p style="text-align: center;"><b>High Level or Refusal with a Prior OVI Conviction Within the past 20 years:</b></p> <ul style="list-style-type: none"> <li>✘ Maximum Incarceration: 6 months</li> <li>✘ Minimum Incarceration: (a) 6 days of jail or (b) 3 days DIP and 3 days of jail (may avoid with interlock)</li> <li>✘ Probation up to 5 years</li> <li>✘ Fine from \$375 up to \$1,075</li> <li>✘ Optional order for forced alcohol/substance abuse assessment and forced treatment</li> <li>✘ License suspension of 1 to 3 years. No driving privileges during first 15 days (30 if a refusal). May reduce suspension to 6 months with use of interlock.</li> <li>✘ License Reinstatement Fee of \$475.00</li> <li>✘ Restricted Plates Required.</li> <li>✘ Interlock optional</li> <li>✘ 6 points assessed to driving record</li> </ul>
<b>2<sup>nd</sup> OVI in 10 Years</b>	
<p style="text-align: center;"><b>Low Level:</b></p> <ul style="list-style-type: none"> <li>✘ Maximum Incarceration: 6 months</li> <li>✘ Minimum Incarceration: (a) 10 days of jail or (b) 5 days of jail and 18 days of house arrest with electronic monitoring and/or continuous alcohol monitoring</li> <li>✘ Probation up to 5 years</li> <li>✘ Fine from \$525 up to \$1,625</li> <li>✘ Mandatory alcohol/drug assessment and recommended treatment</li> <li>✘ License suspension of 1 to 7 years. No driving privileges during first 45 days.</li> <li>✘ License Reinstatement Fee of \$475.00</li> <li>✘ Restricted Plates Required.</li> <li>✘ Interlock required if alcohol related OVI.</li> <li>✘ 90 Day immobilization of vehicle if registered to defendant.</li> <li>✘ 6 points assessed to driving record</li> </ul>	<p style="text-align: center;"><b>High Level or Refusal with a Prior OVI Conviction Within the past 20 years:</b></p> <ul style="list-style-type: none"> <li>✘ Maximum Incarceration: 6 months</li> <li>✘ Minimum Incarceration: (a) 20 days of jail or (b) 10 days of jail and 36 days of house arrest with electronic monitoring and/or continuous alcohol monitoring</li> <li>✘ Probation up to 5 years</li> <li>✘ Fine from \$525 up to \$1,625</li> <li>✘ Mandatory alcohol/drug assessment and recommended treatment</li> <li>✘ License suspension of 1 to 7 years. No driving privileged during first 45 days (90 days if refusal).</li> <li>✘ License Reinstatement Fee of \$475.00</li> <li>✘ Restricted Plates Required.</li> <li>✘ Interlock required if alcohol related OVI.</li> <li>✘ 90 Day immobilization of vehicle if registered to defendant.</li> <li>✘ 6 points assessed to driving record</li> </ul>

<b>3<sup>rd</sup> OVI in 10 Years</b>	
<b>Low Level:</b>	<b>High Level or Refusal with a Prior OVI Conviction Within the past 20 years:</b>
<ul style="list-style-type: none"> <li>✘ Maximum Incarceration: 1 year</li> <li>✘ Minimum Incarceration: (a) 30 days of jail or (b) 15 days of jail and 55 days of house arrest with electronic monitoring and/or continuous alcohol monitoring</li> <li>✘ Probation up to 5 years</li> <li>✘ Fine from \$850 up to \$2,750</li> <li>✘ Mandatory alcohol/drug addiction program</li> <li>✘ License suspension of 2 to 10 years. No driving privileges during first 180 days.</li> <li>✘ License Reinstatement Fee of \$475.00</li> <li>✘ Restricted Plates Required.</li> <li>✘ Interlock required if alcohol related OVI.</li> <li>✘ Forfeiture of vehicle if registered to defendant.</li> <li>✘ 6 points assessed to driving record</li> </ul>	<ul style="list-style-type: none"> <li>✘ Maximum Incarceration: 1 year</li> <li>✘ Minimum Incarceration: (a) 60 days of jail or (b) 30 days of jail and 110 days of house arrest with electronic monitoring and/or continuous alcohol monitoring</li> <li>✘ Probation up to 5 years</li> <li>✘ Fine from \$850 up to \$2,750</li> <li>✘ Mandatory alcohol/drug addiction program</li> <li>✘ License suspension of 2 to 10 years. No driving privileges during first 180 days (1 year if refusal).</li> <li>✘ License Reinstatement Fee of \$475.00</li> <li>✘ Restricted Plates Required.</li> <li>✘ Interlock required if alcohol related OVI.</li> <li>✘ Forfeiture of vehicle if registered to defendant.</li> <li>✘ 6 points assessed to driving record</li> </ul>
<b>4<sup>th</sup> and Above:</b>	
<b>Become felony charges!</b>	

## DEFINITIONS

**Low Level Breath Test for Alcohol:** .08 but less than .17

**High Level Breath Test for Alcohol:** .17 or greater

**Restricted Plates:** Yellow and Red license plates that must be on any vehicle you drive.

**DUI:** Old terminology for an OVI, they mean the same.

**Interlock:** An ignition device that requires breath samples before the vehicles will start and while the vehicles is operating. If the device detects alcohol, the vehicle will not start and the results will be sent to the probation officer. Devices may cost between \$200 and \$300 to install, and between \$100 and \$200 per month to maintain. Required on any vehicle you drive except your employer's vehicles. Violations can extend suspension and result in jail time.

**DIP (Drivers Intervention Program):** Typically a 3-day course, often held at a hotel, that involves seminars on topics such as substance abuse. The cost of such programs is approximately \$350 to \$475, and during the 3-days you may not leave the location of the training.

**HAEM:** House arrest with electronic monitoring. To be eligible, court must issue finding of lack of jail space within 60 days. Also referred to as EMHA (Electronic Monitoring House Arrest). Costs vary, but the installation fee can be about \$175 with a daily cost of between \$10 and \$20.

**CAM:** Continuous alcohol monitoring. To be eligible, court must issue finding of lack of jail space within 60 days. Also referred to as SCRAM (Secure Continuous Remote Alcohol Monitoring). Costs vary, but the installation fee can be about \$175 with a daily cost of between \$10 and \$20.

**Forfeiture:** If you were driving your vehicle, you will lose it. If you transfer title before convicted, you may be fined for the value of the vehicle.

**CDL (Commercial Driver's License):** 1<sup>st</sup> Conviction results in 1 year suspension of CDL, and 2<sup>nd</sup> results in lifetime suspension of CDL.