

## Penalties for Operating Vehicle Under the Influence

Number of Offense	Type of Offense	Incarceration	Fines	Treatment	License Suspension	Driving Privileges	Restricted Plates/ Interlock	Forfeiture
1 <sup>st</sup> Offense in 6 Years	Simple OVI, Low Test or Drug	3 days jail or DIP <sup>1</sup> . Up to 6 Months.	\$375- \$1,075	Optional	Class 5 (6 months to 3 years)	After 15 days	Both optional	No
1 <sup>st</sup> Offense in 6 Years	High Test, <u>or</u> Refusal with Prior in 20 Years	6 days jail <u>or</u> 3 days jail and 3 days DIP <sup>1</sup> . Up to 6 months.	\$375- \$1,075	Optional	Class 5 (6 months to 3 years)	Tested: After 15 days Refusal: After 30 days	Plate required for high-end. Interlock optional.	No
2 <sup>nd</sup> Offense in 6 Years	Simple OVI, Low Test or Drug	10 days jail <u>or</u> 5 days jail and 18 days HAEM <sup>2</sup> and/or CAM <sup>3</sup> . Up to 6 months.	\$525- \$1,625	Alcohol/drug assessment and recommended treatment mandatory.	Class 4 (1 to 5 years)	After 45 days	Plates required. Interlock required if alcohol-related, optional if drug.	90 days immobilization if registered to defendant.
2 <sup>nd</sup> Offense in 6 Years	High Test, <u>or</u> Refusal with Prior in 20 Years	20 days jail <u>or</u> 10 days jail and 36 days HAEM <sup>2</sup> and/or CAM <sup>3</sup> . Up to 6 months.	\$525- \$1,625	Alcohol/drug assessment and recommended treatment mandatory.	Class 4 (1 to 5 years)	Tested: After 45 days Refusal: After 90 days	Plates required. Interlock required if alcohol-related, optional if drug.	90 days immobilization if registered to defendant.
3 <sup>rd</sup> Offense in 6 Years	Simple OVI, Low Test or Drug	30 days jail <u>or</u> 15 days jail and 18 days HAEM <sup>2</sup> and/or CAM <sup>3</sup> . Up to 6 months.	\$850- \$2,750	Alcohol/drug addiction program mandatory.	Class 3 (2 to 10 years)	After 180 days	Plates required. Interlock required if alcohol-related, optional if drug.	90 days immobilization if registered to defendant.
3 <sup>rd</sup> Offense in 6 Years	High Test, <u>or</u> Refusal with Prior in 20 Years	60 days jail <u>or</u> 30 days jail and 110 days HAEM <sup>2</sup> and/or CAM <sup>3</sup> . Up to 1 year.	\$850- \$2,750	Alcohol/drug addiction program mandatory.	Class 3 (2 to 10 years)	Tested: After 180 days Refusal: After 1 year	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
4 <sup>th</sup> or 5 <sup>th</sup> Offense in 6 Years	Simple OVI, Low Test or Drug	60 days local incarceration, up to 1 year; <u>or</u> 60 days prison, with option of additional 6 to 30 months.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
4 <sup>th</sup> or 5 <sup>th</sup> Offense in 6 Years	High Test, <u>or</u> Refusal	120 days local incarceration, up to 1 year; <u>or</u> 120 days prison, with option of additional 6 to 30 months.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
6 <sup>th</sup> Offense in 20 Years	Simple OVI, Low Test or Drug	60 days local incarceration, up to 1 year; <u>or</u> 60 days prison, with option of additional 6 to 30 months.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
6 <sup>th</sup> Offense in 20 Years	High Test, <u>or</u> Refusal	120 days local incarceration, up to 1 year; <u>or</u> 120 days prison, with option of additional 6 to 30 months.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
2 <sup>nd</sup> Felony Lifetime	Simple OVI, Low Test or Drug	60 days prison. Up to 5 years.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
2 <sup>nd</sup> Felony Lifetime	High Test, <u>or</u> Refusal	120 days prison. Up to 5 years.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.
1 <sup>st</sup> or 2 <sup>nd</sup> Felony Lifetime with RC 2941.1413	Simple OVI, Low Test or Drug, High Test, <u>or</u> Refusal	Same penalty as the boxes above, <u>and</u> 1 to 5 years prison consecutive to same.	\$1,350- \$10,500	Alcohol/drug addiction program mandatory.	Class 2 (3 years to life)	After 3 years	Plates required. Interlock required if alcohol-related, optional if drug.	Forfeiture if registered to defendant.

\*No privileges may be granted on suspension imposed on offender who, within the preceding six years, has had three or more convictions or guilty pleas. [RC 4510.13(A)(3)]

<sup>1</sup> Driver Intervention Program

<sup>2</sup> House Arrest with Electronic Monitoring

<sup>3</sup> Continuous Alcohol Monitoring