

DRUNK DRIVING PENALTIES

Driving While Intoxicated

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

	FINE	JAIL SENTENCE	LICENSE ACTION
1 ST Offense (Misdemeanor)	Minimum \$ 500 Maximum \$ 1,000	Up to 1 Year Minimum	6-Month Revocation
2 nd Offense (Within 10 years / Class E Felony)	Minimum \$1,000 Maximum \$ 5,000	Up to 4 Years	Minimum 1-Year Revocation*
3 rd 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
1 ST Offense (Misdemeanor)**	Minimum \$1,000 Maximum \$ 2,500	Up to 1 Year Minimum	1 Year Revocation
2 nd Offense (Class E Felony)	Minimum \$1,000 Maximum \$ 5,000	Up to 4 Years	Minimum 18-Month Revocation
3 rd 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
1 ST Offense (Traf? c Infraction)	Minimum \$ 300 Maximum \$ 500	Up to 15 Days	90-Day Suspension
2 nd Offense Within 5 years (Traf? c Infraction)	Minimum \$ 500 Maximum \$ 750	Up to 30 Days	Minimum 6-Month Revocation*
3 rd 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 ? nding of .02% to .07% Blood Alcohol Content (BAC)]

CIVIL PENALTY	LICENSE ACTION	ADDED FEE
1 ST Offense Minimum	\$125 6-Month Suspension	\$100 Suspension Termination Fee
2 nd Offense Minimum	\$125 1-Year Revocation OR Image Field 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 penalties, 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.

Local Resources

Otsego County STOP-DWI
172 County Highway 33 W

Cooperstown, N.Y. 13326
607-547-4271

607-547-6413 fax

Program Coordinator -

Sheriff Richard J. Devlin, Jr.

STOP-DWI Administrators

Deputy Ronald Johnston

Deputy Jason Munson

New York State STOP-DWI
www.stopdwi.com

Safe New York
www.safeny.com



Penalties for Driving While Intoxicated in New York State

.08 Don't blow it.



New York State
STOP-DWI Foundation