



FLORIDA TRAFFIC SAFETY RESOURCE  
PROSECUTOR PROGRAM

**DUI – DRIVING UNDER THE INFLUENCE PENALTIES**

316.193 MANDATORY ADJUDICATION	1st DUI* *DUI Crash is 1 <sup>st</sup> degree MM	2nd DUI w/in 5 years	2nd DUI o/s 5 years	3 <sup>rd</sup> DUI w/in 10 years	3rd DUI o/s 10 years	4th DUI
	Misdemeanor	Misdemeanor	Misdemeanor	Felony	Misdemeanor	Felony
<b>JAIL</b> 316.193(2)(a) 316.193(4)(b) Effective Date: 10/1/08	Min: 0 days  Max: 6 months  BAC > .15 Min: 0 days  Max: 9 months	Min: 10 days  Max: 1 year  BAC >.15 Min. 10 days  Max: 1 year	Min: 0 days  Max: 9 months  BAC>.15 Min:0 days  Max: 1 year	Min: 30 days  Max: 5 years	Min: 0 days  Max: 1 year	Max: 5 years
<b>DL REVOCATION</b> 322.28(2)	Min: 6 months  Max: 12 months	Min: 5 years  Max: Lifetime	Min: 6 months  Max: 12 months	Min: 10 years  Max: Lifetime	Min: 6 months  Max: 12 months	Lifetime
<b>FINES</b> 316.193(2)(a) - (b) 316.193(4)(a) Effective Date: 7/1/08	Min: \$500  Max: \$1000  BAC >.15 Min: \$1000  Max: \$2000	Min: \$1000  Max: \$2000  BAC>.15 Min: \$2000  Max: \$4000	Min: \$1000  Max: \$2000  BAC>.15 Min: \$2000  Max: \$4000	Min: \$2000  Max: \$5000  BAC>.15 Min: \$4000	Min: \$2000  Max: \$5000  BAC>.15 Min: \$4000	Min: \$2000  BAC>.15 Min: \$4000
<b>IGNITION INTERLOCK</b> 322.2715(3) Effective Date: 10/1/08	BAC>.15 Min: 6 continuous months	Min: 1 continuous year  BAC>.15 2 continuous years	Min: 1 continuous year  BAC>.15 2 continuous years	Min: 2 years	Min: 2 years	Min: 2 years
<b>IMPOUND</b>	10 days	30 days	10 days	90 days	10 days	90 days