

Prepared by: ND OFFICE OF ATTORNEY GENERAL

PREVIOUS LAW	Offense level	Minimum Fine	Addiction Evaluation	Min. Mandatory Probation	Other restrictions	Maximum sentence	Min. mandatory sentence
1 st offense	Class B Misd.	\$250	Yes			30 days	
2 nd offense/5 years	Class B Misd.	\$500	Yes		24/7 optional bond/probation	30 days	5 days
3 rd Offense/5 years	Class A Misd.	\$1,000	Yes		24/7 optional bond/probation	1 year	60 days, serve at least 10 days
4 th offense/7 years	Class A Misd.	\$1,000	Yes		24/7 optional bond/probation	1 year	180 days, serve at least 10 days
5 th offense/7 years	Class C Fel	\$1,000	Yes		24/7 optional bond/probation	5 Years	180 days, serve at least 10 days

CURRENT LAW (07/01/13)	Offense level	Minimum Fine	Addiction Evaluation	Min. Mandatory Probation	Other restrictions	Maximum sentence	Min. mandatory sentence
1 st offense, BAC less than .16	Class B Misd.	\$500	Yes			30 days	
Aggravated DUI, 1 st offense, BAC .16 or higher	Class B Misd.	\$750	Yes			30 days	2 days OR 10 hours community service per day of jail time
2 nd offense/7 years	Class B Misd.	\$1,500	Yes	1 year	24/7 - bond optional, probation mandatory	30 days	10 days
3 rd Offense/7 years	Class A Misd.	\$2,000	Yes	1 year	24/7 - bond optional, probation mandatory	1 year	120 days, serve at least 60 days, up to 90% house arrest
4 th / subsequent offense	Class C Felony	\$2,000	Yes	2 years	24/7 - bond optional, probation mandatory	5 years	1 year and 1 day, serve at least 1 year
Criminal vehicular injury	Class C Felony					5 years	1 year imprisonment 2 years with prior DUI or reckless driving
Criminal vehicular homicide	Class A Felony					20 years	3 years imprisonment 10 years with prior DUI or reckless driving

Refusal is an offense under N.D.C.C. § 39-08-01.

If the court sentences an individual to DOCR, the offender may be released from custody upon completion of treatment.

Temporary restricted DL option, with mandatory participation in 24/7

Increased municipal court's authority to impose fines up to \$1,500.