

# DUI Intervention Program

## Georgia DUI Laws (courtesy of Mr. Scott Dunbar, DBHDD)

### First DUI Offense

- complete DUI School
- fine not less than \$300 or more than \$1000
- jail term of not less than 10 days or more than 12 months, however, the judge may suspend or probate all but 24 hours
- not less than 40 hours of community service unless BAL was .08 or less, in such case the community may be as little as 20 hours
- a clinical evaluation, unless waived by the court
- completion of a treatment program if recommended by the evaluation
- 12 months probation

Aggravating circumstances could result in additional jail time. These circumstances include:

- *Speeding more than 30 mph over the posted speed limit*
- *Going the wrong way on the highway*
- *Alcohol level of 0.8 or above*
- *Refusing the BAC tests*
- *Causing an accident that harms or kills someone*
- *Having children under the age of twelve in your car.*

If you are guilty of one of the above conditions, Georgia DUI law says that you must spend up to four days in jail. You cannot be released until those four days are served.

### Second DUI Offense

Second DUI within 5 years prior to 7-1-08 or **within a 10-year window when one or more of the DUI's is on or after 7-1-08.**

- Drivers License suspended for 2 years or 1 year if enrolled in treatment
- Between \$600 and \$1000 fines
- Jail time of between 90 days and 12 months, however, the judge may suspend or probate all but 72 hours
- not less than 30 days of community service

- Complete DUI School
- Mandatory complete of Clinical Evaluation
- Completion of a treatment program if recommended by the evaluator (this can't be waived by a judge)
- 12 months probation
- **Ignition interlock system** required for 6 months

## Third Offense

Third DUI within 5 years prior to 7-1-08 or **within a 10-year window when one or more of the D-UI's is on or after 7-1-08.**

- Drivers License suspended for 5 years or 2 years if completed treatment
- the fine is not less than \$1000 or more than \$5000
- jail term is not less than 120 days or more than 12 months, judge may suspend all by - 15 days
- Complete DUI School
- Community Service not less than 30 days
- Mandatory completion of Clinical Evaluation
- Completion of a treatment program if recommended by the evaluator (this can't be waived by a judge)
- 12 months probation
- **Ignition interlock system** required for 6 months

## Fourth DUI Offense

**Four or more DUI's within 10 years beginning 7-1-08 is a felony.** Penalties are:

- Drivers License suspended for 5 years or 2 years if completed treatment
- the fine is not less than \$1000 or more than \$5000
- jail term is not less than 1 year or more than 5 years, judge may suspend all but 90 days
- no less than 60 days of community service unless the defendant is sentenced to serve 3 years in prison
- Complete DUI School
- Mandatory complete of Clinical Evaluation
- Completion of a treatment program if recommended by the evaluator (this can't be waived by a judge)

- 5 years probation, less time served
- **Ignition interlock system** required for 6months

**Note: For all DUI's the judge may suspend up to one-half of the fine if the defendant is undergoing treatment.**