

# Nebraska 2012 DUI / REFUSAL PENALTIES

## 1<sup>st</sup> DUI Offense

### Jail Sentence:

- Jail 7 to 60 days in Jail,
- 6-month revocation (iip)
- \$500 Fine + Ct. Costs & Fees.

### Probation Sentence:

- 0 days in Jail
- 60-day license revocation & (iip)
- \$500 Fine + Ct. Costs & Fees.

## 1<sup>st</sup> Offense DUI w/an Alcohol Concentration over .15

### Jail Sentence:

- 7 to 60 days in Jail,
- 1-year license revocation & (iip),
- \$400 - \$500 Fine + Ct. Costs & Fees.

### Probation Sentence:

- 2 days in Jail **or** min.120 hrs. UPS,
- 1-year license revocation & (iip)
- \$500 Fine + Ct. Costs & Fees.

## 2<sup>nd</sup> Offense DUI

### Jail Sentence:

- 30 to 6 months in Jail,
- 1-year license revocation & (iip w/45),
- \$500 Fine + Ct. Costs & Fees.

### Probation Sentence:

- 10 days in Jail **or** 240 hrs. UPS
- 1-year license revocation & (iip w/45)
- \$500 Fine + Ct. Costs & Fee

## 2<sup>nd</sup> Offense DUI over .15 or 1<sup>st</sup> Refusal

### Jail Sentence:

- 90 to 1 year in Jail,
- 1 to 15-year(s) license revocation (iip & 45 day (may)),
- \$1,000 Fine + Ct. Costs & Fees.

### Probation Sentence:

- 30 days Jail,
- 1 to 15-year(s) license revocation (iip & 45 day (may)),
- \$1,000 Fine + Ct. Costs & Fees.

## 3<sup>rd</sup> Offense DUI

### Jail Sentence:

- 90 to 1 year in Jail,
- 15 year license revocation (iip & 45 day (may)),
- \$1000 fine.

### Probation Sentence:

- 30 days in Jail,
- 2 to 15-year license revocation (iip & 45 day (may)),
- \$1000 fine.

## 3<sup>rd</sup> Offense DUI over .15 or 2<sup>nd</sup> Refusal is IIIA Felony

### Jail Sentence:

- 180 to 5 years in Jail,
- 15 year license revocation (iip & 45 day),
- \$0 to a \$10,000 fine.

### Probation Sentence:

- 60 days in Jail,
- 5 to 15-year license revocation (iip & 60 day (may)),
- \$1000 fine.

### Special Notes:

- \* .02% test failure w/prior Felony DUI conviction is now a class 3 misdemeanor.
- \*\* If a Child under 16yrs in the car w/ a DUI or Refusal is a class one Misdemeanor.
- \*\*\* Note eligible for probation if you pick-up second charge while first pending.