

DUI Offense	Offense level	Minimum fine	Addiction evaluation	Minimum mandatory probation	Other restrictions	Maximum sentence	Minimum mandatory sentence
1 st offense, BAC less than .16	Class B misdemeanor	\$500	Yes		ALR*180 days; temporary restricted license after 30 days	30 days	
Aggravated DUI, 1 st offense, BAC .16 or higher	Class B misdemeanor	\$750	Yes		ALR 180 days; temporary restricted license after 30 days	30 days	2 days OR 10 hours community service per day of jail time
2 nd offense/ 7 years	Class B misdemeanor	\$1,500	Yes	1 year	ALR 2 years or 24/7 program-bond optional, probation mandatory	30 days	10 days
3 rd offense/ 7years	Class A misdemeanor	\$2,000	Yes	1 year	ALR 3 years or 24/7 program-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

Class B misdemeanor punishable by up to 30 days in jail and/or \$1,000 in fines

Class A misdemeanor punishable by up to 1 year in jail and/or \$2,000 in fines

Class C felony punishable by up to 5 years in jail and/or \$5,000 in fines

Class A felony punishable by up to 20 years in jail and/or \$10,000 in fines

*ALR- Administrative License Revocation

Refusal of BAC test is an offense under NDCC 39-08-01

If the court sentences an individual to Department of Corrections and Rehabilitation, the offender may be released from custody upon completion of treatment.

Temporary restricted driver license option, with mandatory participation in the 24/7 sobriety program