

**NINTH JUDICIAL DISTRICT**

(Corrected)

**OMVWI**  
**SENTENCING GUIDELINES**

Citation Issued On or After  
**November 1, 2018**

Ninth Judicial District Office  
2100 Stewart Avenue, Suite 310  
Wausau WI 54401  
(715) 842-3872

Gregory B. Huber, Chief Judge

**FIRST OFFENSE**

(Corrected) **SENTENCING GUIDELINES - STANDARD**

Citations Issued On or After  
11/1/2018

<b>BAC Level</b>	<b>.08 to &lt;.11</b>	<b>.11 to .149</b>	<b>.15 to .169</b>	<b>.17 to .199</b>	<b>.20 to .249</b>	<b>.25 and Above</b>
<b>Penalty</b>	<b>811.50</b>	<b>843.00</b>	<b>924.50</b>	<b>987.50</b>	<b>1,019.00</b>	<b>1,050.50</b>
Forfeiture	150.00	175.00	200.00	250.00	275.00	300.00
DIS	435.00	435.00	435.00	435.00	435.00	435.00
Costs	25.00	25.00	25.00	25.00	25.00	25.00
CSS	68.00	68.00	68.00	68.00	68.00	68.00
(26% of Forf.) PA	39.00	45.50	52.00	65.00	71.50	78.00
JA	10.00	10.00	10.00	10.00	10.00	10.00
JISF	21.50	21.50	21.50	21.50	21.50	21.50
SRPS	50.00	50.00	50.00	50.00	50.00	50.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00
Ign. Int. Surch.			50.00	50.00	50.00	50.00
<b>DNA Surcharge</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>
<b>IID Period</b>			<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>
<b>Revocation</b>	<b>6 mos</b>	<b>7 mos</b>	<b>7 mos</b>	<b>7 mos</b>	<b>8 mos</b>	<b>9 mos.</b>

**PENALTY RANGE**

**FORFEITURE:** \$150 minimum to \$300 maximum

**REVOCAION/DISQUALIFICATION:** 6-9 months (No waiting period for occupational license).

**REFUSAL:** 1 year revocation, 30 day waiting period and AODA.

**IGNITION INTERLOCK:** Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of 12 months beginning when license issued. \$50.00 interlock surcharge . Wis. Stat. s. 343.301(1)(a)1.

**ALCOHOL AND DRUG ASSESSMENT**

**CONTROLLED SUBSTANCE VIOLATIONS**

**Class A - Mitigating Range .11-.15**

- (1) Stopped for Non-Traffic Violations
- (2) Stopped for Minor Traffic; Speed <20 Above, etc.
- (3) Def. suffered substantial personal injuries

**Class B - Intermediate Range .17-<.20**

- (1) Fleeing; =>.20 Above the Limit; Balance Greatly Impaired
- (2) Weaving Between lanes or Shoulder of Road
- (3) Danger Present to Person or Property of Another
- (4) Caused Property Damage Only, Covered by Insurance

**Class C - Aggravated Range >.25**

- (1) Collide with Other Vehilce, Tree or Object, Drive Wrong Way
- (2) Reckless Driving, Resisting or Other Violent Behavior
- (3) Extremely Dangerous Driving or Caused Personal Injury

**SECOND OFFENSE**

(Corrected) **SENTENCING GUIDELINES - STANDARD**

Citations Issued On or After  
11/1/2018

<b>BAC Level</b>	<b>.08 to &lt;.11</b>		<b>.11 to .149</b>		<b>.15 to .169</b>		<b>.17 to .199</b>		<b>.20 to .249</b>		<b>.25+</b>	
		346.65 Prog.		346.65 Prog.		346.65 Prog.		346.65 Prog.		346.65 Prog.		346.65 Prog.
<b>Jail</b>	<b>5 Days</b>	<b>5 Days</b>	<b>15 Days</b>	<b>5 Days</b>	<b>25 Days</b>	<b>6 Days</b>	<b>35 Days</b>	<b>6 Days</b>	<b>45 Days</b>	<b>7 Days</b>	<b>55 Days</b>	<b>7 Days</b>
<b>Fine + Costs</b>	<b>1,429.00</b>		<b>1,492.00</b>		<b>1,555.00</b>		<b>1,555.00</b>		<b>1,618.00</b>		<b>1,744.00</b>	
Fine	350.00		400.00		450.00		450.00		500.00		600.00	
DIS	435.00		435.00		435.00		435.00		435.00		435.00	
Costs	163.00		163.00		163.00		163.00		163.00		163.00	
VWS	67.00		67.00		67.00		67.00		67.00		67.00	
Ign. Int. Surch.	50.00		50.00		50.00		50.00		50.00		50.00	
(26% of Fine) PA	91.00		104.00		117.00		117.00		130.00		156.00	
JA	10.00		10.00		10.00		10.00		10.00		10.00	
CL/DL	13.00		13.00		13.00		13.00		13.00		13.00	
SRPS	50.00		50.00		50.00		50.00		50.00		50.00	
DNA Surcharge	200.00		200.00		200.00		200.00		200.00		200.00	
<b>ltd Period</b>	<b>12 mos</b>		<b>13 mos</b>		<b>14 mos</b>		<b>15 mos</b>		<b>16 mos</b>		<b>18 mos</b>	
<b>Revocation</b>	<b>12 mos</b>		<b>13 mos</b>		<b>14 mos</b>		<b>15 mos</b>		<b>16 mos</b>		<b>18 mos</b>	

**PENALTY RANGE**  
**FINE AMOUNT:** \$350 minimum to \$1100 maximum  
**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]  
**JAIL:** Not less than 5 days nor more than 180 days.  
**JAIL PROBATION & TREATMENT OPTION:** 2 years probation, impose and stay guidelines; minimum jail as condition of probation.  
**REVOCATION/DISQUALIFICATION:** 12 - 18 months. (Occupational wait = 45 days.)  
**REFUSAL:** 2 year revocation, 90 day waiting period and AODA.  
**IGNITION INTERLOCK DEVICE**  
 The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equipped with an ignition interlock device and all vehicles driven, titled or registered in their name shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law, unless undue financial hardship. Wis. Stat. s. 343.301(1)(a)1.  
**ALCOHOL AND DRUG ASSESSMENT**

**CONTROLLED SUBSTANCE VIOLATIONS**

**Class A - Mitigating Range .11-.15**

- (1) Stopped for Non-Traffic Violations
- (2) Stopped for Minor Traffic; Speed <20 Above, etc.
- (3) Def. suffered substantial personal injuries

**Class B - Intermediate Range .17-<.20**

- (1) Fleeing; =>.20 Above the Limit; Balance Greatly Impaired
- (2) Weaving Between lanes or Shoulder of Road
- (3) Danger Present to Person or Property of Another
- (4) Caused Propety Damage Only, Covered by Insurance

**Class C - Aggravated Range >.25**

- (1) Collide with Other Vehilce, Tree or Object, Drive Wrong Way
- (2) Reckless Driving, Resisting or Other Violent Behavior
- (3) Extremely Dangerous Driving or Caused Personal Injury

**THIRD OFFENSE**

(Corrected) **SENTENCING GUIDELINES - STANDARD**

Citations Issued On or After

11/1/2018

BAC Level	.08 to <.11		.11 to .149		.15 to .169		.17 to .199		.20 to .249		.25 plus	
		346.65 Prog.		346.65 Prog.		346.65 Prog.		346.65 prog.		346.65 Prog.		346.65 Prog.
Jail	45 Days	14 Days	60Days	20 Days	75 Days	25 Days	90 Days	30 Days	105 Days	35 Days	120 Days	40 Days
<b>Fine + Costs</b>	<b>1,744.00</b>		<b>1,807.00</b>		<b>1,870.00</b>		<b>2,500.00</b>		<b>3,256.00</b>		<b>4,012.00</b>	
Fine	600.00		650.00		700.00		1,200.00		1,800.00		2,400.00	
DIS	435.00		435.00		435.00		435.00		435.00		435.00	
Costs	163.00		163.00		163.00		163.00		163.00		163.00	
VWS	67.00		67.00		67.00		67.00		67.00		67.00	
Ign. Int. Surch.	50.00		50.00		50.00		50.00		50.00		50.00	
(26% of Fine) PA	156.00		169.00		182.00		312.00		468.00		624.00	
JA	10.00		10.00		10.00		10.00		10.00		10.00	
SRPS	50.00		50.00		50.00		50.00		50.00		50.00	
CL/DL	13.00		13.00		13.00		13.00		13.00		13.00	
DNA Surcharge	200.00		200.00		200.00		200.00		200.00		200.00	
<b>IID Period</b>	<b>24 mos</b>		<b>26 mos</b>		<b>27 mos</b>		<b>28 mos</b>		<b>30 mos</b>		<b>31 mos</b>	
<b>Revocation</b>	<b>24 mos</b>		<b>26 mos</b>		<b>27 mos</b>		<b>28 mos</b>		<b>30 mos</b>		<b>31 mos</b>	

**PENALTY RANGE**

**FINE AMOUNT:** \$600 minimum to \$2000 maximum , **EXCEPTION:** \$1200 minimum and \$4000 maximum if BAC is .17 to .199; \$1800 minimum and \$6000 maximum if BAC is .20 to .249; and \$2400 minimum and \$8000 maximum if BAC is .25 or above.

**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]

**JAIL :** 45 days minimum and 365 day maximum.

**JAIL PROBATION&TREATMENT OPTION.** 2 years probation, impose and stay guidelines; minimum jail as condition of probation.

**REVOCAION/DISQUALIFICATION:** 24 - 31 months. (Occupational wait = 45 days)

**REFUSAL:** 3 year revocation, 120 day waiting period and AODA.

**IGNITION INTERLOCK DEVICE:** The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equipped with an ignition interlock device and all vehicles driven, titled or registered in their name shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law, unless undue financial hardship. Wis. Stat. s. 343.301(1)(a)1.

**ALCOHOL AND DRUG ASSESSMENT**

**CONTROLLED SUBSTANCE VIOLATIONS**

**Class A - Mitigating Range .11-.15**

- (1) Stopped for Non-Traffic Violations
- (2) Stopped for Minor Traffic; Speed <20 Above, etc.
- (3) Def. suffered substantial personal injuries

**Class B - Intermediate Range .17-<.20**

- (1) Fleeing; =>.20 Above the Limit; Balance Greatly Impaired
- (2) Weaving Between lanes or Shoulder of Road
- (3) Danger Present to Person or Property of Another
- (4) Caused Propety Damage Only, Covered by Insurance

**Class C - Aggravated Range >.25**

- (1) Collide with Other Vehilce,Tree or Object, Drive Wrong Way
- (2) Reckless Driving, Resisting or Other Violent Behavior
- (3) Extremely Dangerous Drivingor Caused Personal Injury

**FIRST OFFENSE - MINOR PASSENGER**

(Corrected) **SENTENCING GUIDELINES**

Citations Issued On or After  
11/1/2018

BAC Level	.08 to <.11	.11 to .149	.15 to .169	.17 to .199	0.2 to 0.49	.25 plus
<b>Jail</b>	<b>5 Days</b>	<b>15 Days</b>	<b>25 Days</b>	<b>35 Days</b>	<b>45 Days</b>	<b>55Days</b>
<b>Fine + Costs</b>	<b>1,429.00</b>	<b>1,492.00</b>	<b>1,555.00</b>	<b>1,555.00</b>	<b>1,618.00</b>	<b>1,744.00</b>
Fine	350.00	400.00	450.00	450.00	500.00	600.00
DIS	435.00	435.00	435.00	435.00	435.00	435.00
SRPS	50.00	50.00	50.00	50.00	50.00	50.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00
VWS	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	91.00	104.00	117.00	117.00	130.00	156.00
JA	10.00	10.00	10.00	10.00	10.00	10.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00
DNA Surcharge	200.00	200.00	200.00	200.00	200.00	200.00
<b>IID Period</b>	<b>12 mos</b>	<b>14 mos</b>	<b>14 mos</b>	<b>14 mos</b>	<b>16 mos</b>	<b>16 mos</b>
<b>Revocation</b>	<b>12 mos</b>	<b>14 mos</b>	<b>14 mos</b>	<b>14 mos</b>	<b>16 mos</b>	<b>16 mos</b>

**PENALTY RANGE**

**FINE AMOUNT:** \$350 minimum to \$1100 maximum

**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]

**JAIL :** Not less than 5 days nor more than 6 months.

**JAIL PROBATION AND TREATMENT OPTION.** 2 years probation, impose and stay guidelines; minimum jail as condition of probation.

**REVOCAION/DISQUALIFICATION:** 12 - 18 months.

**IGNITION INTERLOCK DEVICE:** The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equiped with an ignition interlock device and all vehicles driven, titled or registered in their name shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law, unless undue financial hardship. Wis. Stat. s. 343.301(1)(a)1

**ALCOHOL AND DRUG ASSESSMENT**

**CONTROLLED SUBSTANCE VIOLATIONS**

**Class A - Mitigating Range .11-.15**

- (1) Stopped for Non-Traffic Violations
- (2) Stopped for Minor Traffic; Speed <20 Above, etc.
- (3) Def. suffered substantial personal injuries

**Class B - Intermediate Range .17-<.20**

- (1) Fleeing; =>.20 Above the Limit; Balance Greatly Impaired
- (2) Weaving Between lanes or Shoulder of Road
- (3) Danger Present to Person or Property of Another
- (4) Caused Propety Damage Only, Covered by Insurance

**Class C - Aggravated Range >.25**

- (1) Collide with Other Vehilce, Tree or Object, Drive Wrong Way
- (2) Reckless Driving, Resisting or Other Violent Behavior
- (3) Extremely Dangerous Drivingor Caused Personal Injury

**SECOND OFFENSE - MINOR PASSENGER**

(Corrected) **SENTENCING GUIDELINES**

Citations Issued On or After

11/1/2018

BAC Level	.08 to <.11	.11 to .149	.15 to .169	.17 to .199	.20 to .249	.25 plus
Jail	10 Days	27 Days	44 Days	61 Days	78 Days	95 Days
Fine + Costs	1,870.00	1,996.00	2,122.00	2,122.00	2,248.00	2,500.00
Fine	700.00	800.00	900.00	900.00	1,000.00	1,200.00
DIS	435.00	435.00	435.00	435.00	435.00	435.00
SRPS	50.00	50.00	50.00	50.00	50.00	50.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00
VWS	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	182.00	208.00	234.00	234.00	260.00	312.00
JA	10.00	10.00	10.00	10.00	10.00	10.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00
DNA Surcharge	200.00	200.00	200.00	200.00	200.00	200.00
IID Period	24 mos	26 mos	28 mos	28 mos	30 mos	32 mos
Revocation	24 mos	26 mos	28 mos	28 mos	30 mos	32 mos

**PENALTY RANGE**

**FINE AMOUNT:** \$700 minimum to \$2200 maximum

**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]

**JAIL:** Not less than 10 days nor more than 12 months.

**PROBATION AND TREATMENT OPTION.** 2 years probation, impose and stay guidelines; minimum jail as condition of probation.

**REVOCAION/DISQUALIFICATION:** 24-36 months.

**IGNITION INTERLOCK DEVICE:** The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equipped with an ignition interlock device and all vehicles driven, titled or registered in their name shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law, unless undue financial hardship. Wis. Stat. s. 343.301(1)(a)1

**ALCOHOL AND DRUG ASSESSMENT**

**CONTROLLED SUBSTANCE VIOLATIONS**

**Class A - Mitigating Range .11-.15**

- (1) Stopped for Non-Traffic Violations
- (2) Stopped for Minor Traffic; Speed <20 Above, etc.
- (3) Def. suffered substantial personal injuries

**Class B - Intermediate Range .17-<.20**

- (1) Fleeing; =>.20 Above the Limit; Balance Greatly Impaired
- (2) Weaving Between lanes or Shoulder of Road
- (3) Danger Present to Person or Property of Another
- (4) Caused Propety Damage Only, Covered by Insurance

**Class C - Aggravated Range >.25**

- (1) Collide with Other Vehilce, Tree or Object, Drive Wrong Way
- (2) Reckless Driving, Resisting or Other Violent Behavior
- (3) Extremely Dangerous Driving or Caused Personal Injury

**THIRD OFFENSE - MINOR PASSENGER**

(Corrected) **SENTENCING GUIDELINES**

Citations Issued On or After  
11/1/2018

BAC Level	.08 to <.11	.11 to .149	.15 to .169	.17 to .199	.20 to .249	.25 plus
Jail	90 Days	180 Days	250 Days	320 Days	380 Days	440 Days
Fine + Costs	1,870.00	1,996.00	2,122.00	2,122.00	2,248.00	2,500.00
Fine	700.00	800.00	900.00	900.00	1,000.00	1,200.00
DIS	435.00	435.00	435.00	435.00	435.00	435.00
SRPS	50.00	50.00	50.00	50.00	50.00	50.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00
VWS	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	182.00	208.00	234.00	234.00	260.00	312.00
JA	10.00	10.00	10.00	10.00	10.00	10.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00
DNA Surcharge	200.00	200.00	200.00	200.00	200.00	200.00
IID Period	48 mos	52 mos	54 mos	56 mos	60 mos	62 mos
Revocation	48 mos	52 mos	54 mos	56 mos	60 mos	62 mos

**PENALTY RANGE**

**FINE AMOUNT:** \$700 minimum to \$2200 maximum

**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]

**JAIL:** Not less than 10 days nor more than 12 months.

**PROBATION AND TREATMENT OPTION.** 2 years probation, impose and stay guidelines; minimum jail as condition of probation.

**REVOCAION/DISQUALIFICATION:** 24-36 months.

**IGNITION INTERLOCK DEVICE:** The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equipped with an ignition interlock device and all vehicles driven, titled or registered in their name shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law, unless undue financial hardship. Wis. Stat. s. 343.301(1)(a)1

**ALCOHOL AND DRUG ASSESSMENT**

**CONTROLLED SUBSTANCE VIOLATIONS**

**Class A - Mitigating Range .11-.15**

- (1) Stopped for Non-Traffic Violations
- (2) Stopped for Minor Traffic; Speed <20 Above, etc.
- (3) Def. suffered substantial personal injuries

**Class B - Intermediate Range .17-<.20**

- (1) Fleeting; =>.20 Above the Limit; Balance Greatly Impaired
- (2) Weaving Between lanes or Shoulder of Road
- (3) Danger Present to Person or Property of Another
- (4) Caused Property Damage Only, Covered by Insurance

**Class C - Aggravated Range >.25**

- (1) Collide with Other Vehilce, Tree or Object, Drive Wrong Way
- (2) Reckless Driving, Resisting or Other Violent Behavior
- (3) Extremely Dangerous Driving or Caused Personal Injury

**FIRST OFFENSE****COMMERCIAL MOTOR VEHICLES  
(Corrected) SENTENCING GUIDELINES**Citations Issued On or After  
11/1/2018

<b>BAC Level</b>	<b>.040 to .08</b>
	Mitigated
<b>Penalty</b>	<b>1,019.50</b>
Forfeiture	150.00
DIS	435.00
SRPS	50.00
Costs	25.00
CSF	68.00
(26% of Forfeiture) PA	39.00
JA	10.00
JISF	21.50
CL/DL	13.00
TDEA	8.00
DNA Surcharge	200.00
<b>Suspension</b>	<b>6 mos</b>

**PENALTY RANGE****FORFEITURE:** \$150 minimum to \$400 maximum**SUSPENSION:** NOT MANDATORY**ALCOHOL AND DRUG ASSESSMENT**

If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of violation, the minimum and maximum forfeiture is doubled.



**SECOND OFFENSE**

**COMMERCIAL MOTOR VEHICLES  
(Corrected) SENTENCING GUIDELINES**

Citations Issued On or After  
11/1/2018

<b>BAC Level</b>	<b>.040 to .080</b>	
	Mitigated	Aggravated
<b>Jail</b>	<b>20 days</b>	<b>40 days</b>
<b>Penalty</b>	<b>1181.00</b>	<b>2063.00</b>
Fine	300.00	1,000.00
DIS	435.00	435.00
SRPS	50.00	50.00
Costs	20.00	20.00
VWS	67.00	67.00
(26% of Fine) PA	78.00	260.00
JA	10.00	10.00
CL/DL	13.00	13.00
TDEA	8.00	8.00
DNA Surcharge	200.00	200.00
<b>Revocation/Suspension</b>	<b>12 mos</b>	<b>14 mos</b>

**PENALTY RANGE**

**FINE AMOUNT:** \$300 minimum to \$1000 maximum

**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]

**JAIL:** Not less than 5 days or ordered to perform not less than 30 days of community service work nor more than 6 months.

**REVOCATION/SUSPENSION:** NOT MANDATORY

**ALCOHOL AND DRUG ASSESSMENT**

1. Court may order community service work to reduce the amount of a fine. Court may also order restitution.
2. If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of the violation, the minimum and maximum fine is doubled.

**THIRD OFFENSE**

**COMMERCIAL MOTOR VEHICLES  
(Corrected) SENTENCING GUIDELINES**

Citations Issued On or After  
11/1/2018

<b>BAC Level</b>	<b>.040 to .080</b>	
	Minimum Driving <i>No Accident</i>	Aggravated Driving <i>Accident or Injury</i>
		<i>Bad Driving Record</i>
<b>Jail</b>	<b>45 days</b>	<b>120 days</b>
<b>Penalty</b>	<b>1559.00</b>	<b>3323.00</b>
Fine	600.00	2,000.00
DIS	435.00	435.00
SRPS	50.00	50.00
Costs	20.00	20.00
VWS	67.00	67.00
(26% of Fine) PA	156.00	520.00
JA	10.00	10.00
CL/DL	13.00	13.00
TDEA	8.00	8.00
DNA Surcharge	200.00	200.00
<b>Revocation/Suspension</b>	<b>12 mos</b>	<b>14 mos</b>

**PENALTY RANGE**

**FINE AMOUNT:** \$600 minimum to \$2000 maximum

**JAIL:** 30 days - 12 months

**DIS:** Increase per §346.655    **SRPS:** Safe Ride Program Surcharge 346.657 effective on offenses committed on or after 7-14-2015

**VWS:** VWS may not be waived, reduced or forgiven [§973.045(1)]

**REVOCAION/SUSPENSION:** NOT MANDATORY

**ALCOHOL AND DRUG ASSESSMENT**

1. Court may order community service work to reduce the amount of a fine. Court may also order restitution.
2. If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of the violation, the minimum and maximum fine is doubled.

**FIRST OFFENSE**

**MUNICIPAL SENTENCING GUIDELINES - STANDARD**

Citations Issued On or After

(Corrected)

11/1/2018

BAC Level	.08 to .099		.10 to .149		.15 to .169		.17 to .199		.20 to .249		.25 and above	
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
<b>Penalty</b>	<b>712.00</b>	<b>743.50</b>	<b>712.00</b>	<b>775.00</b>	<b>825.00</b>	<b>888.00</b>	<b>888.00</b>	<b>951.00</b>	<b>888.00</b>	<b>951.00</b>	<b>888.00</b>	<b>951.00</b>
Forfeiture	150.00	175.00	150.00	200.00	200.00	250.00	250.00	300.00	250.00	300.00	250.00	300.00
DIS	435.00	435.00	435.00	435.00	435.00	435.00	435.00	435.00	435.00	435.00	435.00	435.00
*Costs	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00
SRPS	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Forf.) PA	39.00	45.50	39.00	52.00	52.00	65.00	65.00	78.00	65.00	78.00	65.00	78.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Ign. Int. Surch.					50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
<b>IID Period</b>					<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>	<b>12 mos</b>
<b>Revocation</b>	<b>6 mos</b>	<b>6 mos</b>	<b>6 mos</b>	<b>7 mos</b>	<b>7 mos</b>	<b>8 mos</b>	<b>8 mos</b>	<b>9 mos</b>	<b>9 mos.</b>	<b>9 mos</b>	<b>9 mos.</b>	<b>9 mos</b>

**PENALTY RANGE**

**FORFEITURE:** \$150 minimum to \$300 maximum

\***COSTS** are calculated at the minimum of \$15 but may be assessed to a maximum of \$38 pursuant to Wis. Stats. 814.65(1)

**REVOCAION/DISQUALIFICATION:** 6-9 months (no waiting period for occupational license).

**IGNITION INTERLOCK:** Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 18 months beginning when license issued. \$50.00 interlock surcharge

**ALCOHOL AND DRUG ASSESSMENT:** The Court shall order that the defendant submit to and comply with an assessment for the use of alcohol and drugs.

1. Court may order the **safety plan** to include effect on any victim or victim's family.
2. Court may order **community service work** that demonstrates adverse effects of abuse (**and a reasonable fee**).
3. Court may order a **visit to a site that demonstrates adverse effects of abuse (and a reasonable fee)**.
4. **Court may**, after a finding of inability to pay, reduce the costs or forfeiture and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.

**FIRST OFFENSE**

**MUNICIPAL SENTENCING GUIDELINES - COMMERCIAL**

(Corrected)

Citations Issued On or After

11/1/2018

<b>BAC Level</b>	<b>.040 to .080</b>	
	Minimum Driving	Aggravated Driving
	<i>No Accident</i>	<i>Accident or Injury</i>
		<i>Bad Driving Record</i>
<b>Penalty</b>	<b>720.00</b>	<b>909.00</b>
Forfeiture	150.00	300.00
DIS	435.00	435.00
SRPS	50.00	50.00
*Costs	15.00	15.00
(26% of Forfeiture) PA	39.00	78.00
JA	10.00	10.00
CL/DL	13.00	13.00
TDEA	8.00	8.00
<b>Suspension</b>	<b>6 mos</b>	<b>7 mos</b>

**PENALTY RANGE**

**FORFEITURE:** \$150 minimum to \$300 maximum

\* **Costs** are calculated at the minimum of \$15 but may be assessed to a maximum of \$38 pursuant to Wis. Stats. 814.65(1)

**SUSPENSION:** NOT MANDATORY

**ALCOHOL AND DRUG ASSESSMENT**

1. Court may order community service work to reduce the amount of a forfeiture. Court may also order restitution.
2. If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of violation, the minimum and maximum forfeiture is doubled.