

UNDER THE INFLUENCE MANDATORY SENTENCING CHART

(HB 2019, Chapter 5) Second Special Session, 46th Legislature

CHARGE and SENTENCING REFERENCE	OFFENSE	BASELINE	80% SURCHARGE	\$5 PROBATION SURCHARGE AMOUNT	PRISON CONSTRUCTION ASSESSMENT	DUI ABATEMENT FEE	JAIL REIMBURSEMENT FEE A.R.S. 13-804-01	BASE JAIL TIME	JAIL TIME SUSPENDED UPON ALC/DRUG SCREENING	NUMBER OF CONSECUTIVE DAYS IN JAIL	ALCOHOL/DRUG SCREENING
		Per A.R.S. § 5-398.01, § 28-1389, an § 28-8292, fines, surcharges and PCOF <u>cannot</u> be waived.									
DRIVING UNDER INFLUENCE											
28-1381A1 (DUI) -- per 28-1381											
DUI Liquor/drugs/vapors	First	250	200	5	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES
DUI Liquor/drugs/vapors	Second	500	400	5	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES
28-1381A2 (DUI) -- per 28-1381											
DUI Liquor BAC .08 or more	First	250	200	5	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES
DUI Liquor BAC .08 or more	Second	500	400	5	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES
28-1381A3 (DUI) -- per 28-1381											
DUI Drug listed in 13-3401 or metabolite	First	250	200	5	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES
DUI Drug listed in 13-3401 or metabolite	Second	500	400	5	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES
28-1381A4 (DUI) -- per 28-1381											
DUI Commercial vehicle driver BAC .04+	First	250	200	5	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES
DUI Commercial vehicle driver BAC .04+	Second	500	400	5	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES
28-1382A (DUI) -- per 28-1382											
DUI Extreme BAC .15 or more	First	250	200	5	1000	250	YES	30 DAYS	20 DAYS	10 DAYS	YES
DUI Extreme BAC .15 or more	Second	500	400	5	1250	250	YES	120 DAYS	60 DAYS	60 DAYS	YES
28-1383A1 (DUI) -- per 28-1383											
DUI Aggrav w/driver license restriction	First	500	400	5	1250	250	YES	4 MONTHS	NONE	**	YES
28-1383A2 (DUI) -- per 28-1383											
DUI Aggrav with priors	First	750	600	5	1500	250	YES	4 MONTHS	NONE	**	YES
DUI Aggrav w/3 or more priors in 60 months		no more than 13-801A	*80 percent of fine	5	1500	250	YES	8 MONTHS	NONE	**	YES

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28-1383A3A (DUI) -- per 28-1383											
DUI Aggrav child under 15 in car Ref 28-1381	First	250	200	5	500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES
DUI Aggrav child under 15 in car 2 priors Ref 28-1381	Second	500	400	5	1250	250	YES	90 DAYS	60 DAYS	30 DAYS	YES
DUI Aggrav child under 15 in car Ref 28-1381	Third+	750	600	5	1500	250	YES	4 MONTHS	NONE	**	YES
28-1383A3B (DUI) -- per 28-1383											
DUI Aggrav child under 15 in car Ref 28-1382	First	250	200	5	500	250	YES	30 DAYS	20 DAYS	10 DAYS	YES
DUI Aggrav child under 15 in car 2 priors Ref 28-1382	Second	500	400	5	1250	250	YES	120 DAYS	60 DAYS	60 DAYS	YES
DUI Aggrav child under 15 in car Ref 28-1382	Third+	750	600	5	1500	250	YES	4 MONTHS	NONE	**	YES