



DUI FIRST OFFENDERS

Alcohol Involved - Non-Injury

21 and Older



IF YOU ARE **ARRESTED** FOR DRIVING UNDER THE INFLUENCE (DUI)

ADMINISTRATIVE PER SE (APS)

The Department of Motor Vehicles (DMV) is **required** to suspend or revoke the driving privilege of any person **arrested** for DUI of alcohol or a combination of alcohol and drugs, who:

- Takes a chemical test (blood or breath) that shows a blood alcohol concentration (BAC) level of 0.08% or more while driving a noncommercial vehicle, 0.04% while driving a commercial vehicle, and/or a 0.01% while on DUI probation, **OR**
- Refuses to take or fails to complete a chemical test (blood or breath) to determine their BAC level.

The DMV suspension or revocation is an immediate administrative action taken against your driving privilege. Any sanctions imposed by the DMV under APS are independent of any court-imposed jail sentence, fine, criminal penalty, or suspension or revocation imposed by DMV when a person is convicted for DUI (see reverse).

LICENSE SUSPENSION

If you are 21 years of age or older, took a chemical or urine test, the results showed 0.08% BAC or more and this is your first DUI arrest, you will receive a **4-month license suspension**. At the time of your arrest, the officer will confiscate your license and issue you an Order of Suspension and Temporary License. You may drive for 30 days from the date the order of suspension or revocation was issued, provided you have been issued a California driver license and your driver license is not expired, or your driving privilege is not suspended or revoked for any other reason. Your 4-month suspension will take effect after those 30 days.

ADMINISTRATIVE HEARING OPTION

You have the right to request a hearing from the DMV within 10 days of receipt of the suspension or revocation order. If the review shows there is no basis for the suspension or revocation, the action will be set aside. The DMV hearing is an administrative proceeding regarding your driving privilege and the circumstances surrounding the arrest, not whether you are innocent or guilty of a criminal act. More information regarding APS hearings can be found on the DMV's website, www.dmv.ca.gov.

RESTRICTED LICENSE OPTIONS

Ignition Interlock Device (IID) **OR** Employment/Treatment Program

You may apply for a restricted license immediately with the installation of an IID. With this restriction, you may drive at any time to any place, so long as the vehicle is equipped with an IID. You will have this restriction for up to 4 months.

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Provide proof of IID installation (DL 920)
- Pay a \$125 APS fee

You may apply for a license that restricts you to driving to, from, and during employment and to and from your DUI program for up to 5 months.

To apply for this restricted license:

- Serve 30 days of your 4-month suspension
- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Pay a \$125 APS fee

REINSTATEMENT

Once you have served your 4-month suspension period, or, if you opted to apply for a restricted license and have maintained the restriction for the applicable amount of time, you will be eligible to reinstate your driving privilege with no restrictions. **Note: Any court convictions/sanctions subsequent to your arrest may be in effect. You must clear all outstanding suspensions or revocations on your record in order to fully reinstate your driving privilege.**

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.



DUI FIRST OFFENDERS

Alcohol Involved - Non-Injury

21 and Older



IF YOU ARE **CONVICTED** OF DRIVING UNDER THE INFLUENCE (DUI)

If you are convicted of DUI (CVC §23152), the Department of Motor Vehicles (DMV) will suspend your driving privilege for **6 or 10 months**. You may be subject to fines, penalties, and other restrictions in addition to any suspension of your driving privilege. The suspension based on your conviction may run concurrently to the APS suspension the DMV takes upon your arrest (see reverse).

Note: If your BAC was greater than 0.20%, the court may require DMV to suspend your driving privilege for 10 months. You will also be required to complete a 9-month DUI program.

The Court Ordered You to Install an Ignition Interlock Device (IID)

- When the court orders you to install an IID, you must have one installed by an authorized installer and provide proof of installation to the court. The court has special forms and procedures to monitor drivers ordered to install an IID.
- After the DMV is notified by the court, the DMV will place a restriction on your driver record and mark your driver license, so law enforcement officers are aware of the IID requirement if you are stopped.
- If you fail to comply with a court-ordered IID restriction, the court may notify the DMV and your driving privilege may be suspended until you comply with the court order.

RESTRICTED LICENSE OPTIONS

The Court DID NOT Order You to Install an IID

If the court did not order you to install an IID, you have 2 restricted license options. You may also choose to serve your 6- or 10-month suspension and not apply for a restricted license. You cannot legally drive a vehicle for any reason during your suspension.

IID

You may apply for a restricted license with the installation of an IID. With this restriction, you may drive at any time to any place, so long as the vehicle is equipped with an IID. You will have this restriction until you meet all reinstatement requirements*.

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Provide proof of IID installation (DL 920)
- Pay a \$55 reissue fee, a \$15 restriction fee, and an IID restriction fee

OR

Employment/Treatment Program

You may apply for a license that restricts you to driving to, from, and during your employment and to and from your DUI program. You will have this restriction for 12 months, and until you meet all reinstatement requirements*.

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Pay a \$55 reissue fee and a \$15 restriction fee

*FULL REINSTATEMENT REQUIREMENTS

To fully reinstate your driving privilege with no restrictions, you must serve your full suspension or restriction, provide the DMV with proof of completion of a DUI program and provide proof of insurance (SR 22). You will be required to maintain the SR 22 for 3 years.

Note: You must also clear all outstanding suspensions or revocations on your record in order to fully reinstate your driving privilege.

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.



DUI DRUG-ONLY OFFENSES

First and Repeat Offenders 21 and Older



IF YOU ARE **ARRESTED** FOR DRIVING UNDER THE INFLUENCE (DUI) INVOLVING DRUGS

It is unlawful for a person who is under the influence of any drug to drive a vehicle. If you are arrested for DUI and your offense involved **only drugs** (no alcohol), you will be subject to a driver license suspension or revocation upon conviction in court. **Note: Drug-only offenders are not subject to an administrative license suspension taken by the Department of Motor Vehicles (DMV) upon arrest under Administrative Per Se laws.**

IF YOU ARE **CONVICTED** OF DUI INVOLVING DRUGS

Upon notice of conviction from the court, the DMV will suspend or revoke your driving privilege for a period time that varies by level of offense and the number of prior convictions. You may be subject to fines, penalties, and other restrictions in addition to any suspension or revocation of your driving privilege.

Offender Level	Non-Injury (CVC §23152)	With Injury (CVC §23153)
1st Offender	6- or 10-month suspension	1-year suspension
2nd Offender	2-year suspension	3-year revocation
3rd Offender	3-year revocation	5-year revocation
4th Offender	4-year revocation	5-year revocation

Note: A court may also order a 10-year revocation for a driver convicted of three or more DUI offenses within 10 years.

RESTRICTED LICENSE OPTIONS

Employment/Treatment Program	Ignition Interlock Device (IID)
<p>If you are eligible, you may apply for a license that restricts you to driving to and from your employment or your DUI program.</p> <p>Who is eligible:</p> <ul style="list-style-type: none"> • Non-Injury 1st Offenders • Non-Injury 2nd Offenders that have served 1 year of their suspension 	<p>If you are eligible, you may apply for a restricted license that restricts you to operating a vehicle equipped with an IID.</p> <p>Who is eligible</p> <ul style="list-style-type: none"> • All non-injury and injury repeat offenders that have served 1 year of their suspension or revocation.
<p>To apply for this restricted license:</p> <ul style="list-style-type: none"> • Visit a DMV office (appointment recommended) • Provide proof of enrollment in a DUI program • Provide proof of insurance (SR 22) • Pay a \$55 reissue fee and a \$15 restriction fee 	<p>To apply for a restricted license, you must:</p> <ul style="list-style-type: none"> • Visit a DMV office (appointment recommended) • Provide proof of enrollment in a DUI program • Provide proof of insurance (SR 22) • Provide proof of IID installation (DL 920) • Pay all applicable reissue and restriction fees, including an additional Administrative Service Fee

Note: There are no restricted license options for 1st offenders with injury.

You may also choose to serve your suspension or revocation and not apply for a restricted license.

FULL REINSTATEMENT REQUIREMENTS

To reinstate your driving privilege with no restrictions after serving your suspension, revocation or restriction term, you must provide DMV with proof of completion of a DUI program and proof of insurance (SR 22). You will be required to maintain the SR 22 for 3 years.

Note: you must also clear all outstanding suspensions or revocations on your driving record.

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.



DUI FIRST OFFENDERS

Alcohol Involved - Injury

21 and Older



IF YOU ARE **ARRESTED** FOR DRIVING UNDER THE INFLUENCE (DUI)

ADMINISTRATIVE PER SE (APS)

The Department of Motor Vehicles (DMV) is **required** to suspend or revoke the driving privilege of any person **arrested** for DUI of alcohol or a combination of alcohol and drugs, who:

- Takes a chemical test (blood or breath) that shows a blood alcohol concentration (BAC) level of 0.08% or more while driving a noncommercial vehicle, 0.04% while driving a commercial vehicle, and/or a 0.01% while on DUI probation, **OR**
- Refuses to take or fails to complete a chemical test (blood or breath) to determine their BAC level.

The DMV suspension or revocation is an immediate administrative action taken against your driving privilege. Any sanctions imposed by the DMV under APS are independent of any court-imposed jail sentence, fine, or other criminal penalty imposed when a person is convicted for DUI (see reverse).

LICENSE SUSPENSION

If you are 21 years of age or older, took a chemical or urine test, the results showed 0.08% BAC or more and this is your first DUI arrest, you will receive a **4-month license suspension**. At the time of your arrest, the officer will confiscate your license and issue you an Order of Suspension and Temporary License. You may drive for 30 days from the date the order of suspension or revocation was issued, provided you have been issued a California driver license and your driver license is not expired, or your driving privilege is not suspended or revoked for any other reason. Your 4-month suspension will take effect after those 30 days.

ADMINISTRATIVE HEARING OPTION

You have the right to request a hearing from the DMV within 10 days of receipt of the suspension or revocation order. If the review shows there is no basis for the suspension or revocation, the action will be set aside. The DMV hearing is an administrative proceeding regarding your driving privilege and the circumstances surrounding the arrest, not whether you are innocent or guilty of a criminal act. More information regarding APS hearings can be found on the DMV's website, www.dmv.ca.gov.

RESTRICTED LICENSE OPTIONS

Ignition Interlock Device (IID)

You may apply for a restricted license immediately with the installation of an IID. With this restriction, you may drive at any time to any place, so long as the vehicle is equipped with an IID. You will have this restriction for up to 4 months. You may receive credit towards the mandatory IID restriction period required upon conviction for any installation during your APS suspension.

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Provide proof of IID installation (DL 920)
- Pay a \$125 APS fee

OR

Employment/Treatment Program

You may apply for a license that restricts you to driving to, from, and during employment and to and from your DUI program for up to 5 months.

To apply for this restricted license:

- Serve 30 days of your 4-month suspension
- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Pay a \$125 APS fee

REINSTATEMENT

Once you have served your 4-month suspension period, or, if you opted to apply for a restricted license and have maintained the restriction for the applicable amount of time, you will be eligible to reinstate your driving privilege with no restrictions. **Note: Any court convictions/sanctions subsequent to your arrest may be in effect. You must clear all outstanding suspensions or revocations on your record in order to fully reinstate your driving privilege.**

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.



DUI FIRST OFFENDERS

Alcohol Involved - Injury

21 and Older



IF YOU ARE **CONVICTED** OF DRIVING UNDER THE INFLUENCE (DUI)

If you are convicted of a DUI that caused injury to any person other than you, or vehicular manslaughter while intoxicated [CVC §23153 or PC 191.5(b)], the Department of Motor Vehicles (DMV) will suspend or revoke your driving privilege for 1 year. You may be subject to fines, penalties, and other restrictions in addition to any suspension or revocation of your driving privilege. The suspension or revocation based on your conviction may run concurrently to the APS suspension the DMV takes upon your arrest.

RESTRICTED LICENSE REQUIREMENT

Effective January 1, 2019, the Statewide Ignition Interlock Device (IID) Pilot Program requires first-time DUI offenders convicted of a DUI involving alcohol or a combination of alcohol and drugs that resulted in injury to install an IID for a specified time in the vehicle they operate. During your IID restriction period, you can only drive vehicles that are equipped with a functioning, certified IID.

For an injury-involved first offense, **you will be required to install an IID for 1 year.**

YOU WILL NOT BE ABLE TO REINSTATE YOUR DRIVING PRIVILEGE WITHOUT THE INSTALLATION OF AN IID, EVEN IF YOU HAVE SERVED YOUR SUSPENSION OR REVOCATION PERIOD.

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Provide proof of IID installation (DL 920)
- Pay a \$55 reissue fee, a \$15 restriction fee, and administrative service fees

EXEMPTIONS

You may qualify for an exemption from installing an IID if you are an out of state resident, have a medical condition that prevents you from being able to use an IID, or you do not own a vehicle. If you are granted an exemption, your driving privilege will remain suspended or revoked for the full length of your suspension or revocation. During your exemption period, you may apply for an IID-restricted license. More information and the exemption application forms are available on the DMV's website at www.dmv.ca.gov.

FULL REINSTATEMENT REQUIREMENTS

To reinstate your driving privilege with no restrictions, you must complete your mandatory IID installation term, or suspension term if granted an exemption, provide the DMV with proof of completion of a DUI program, and with proof of insurance (SR 22). You will be required to maintain the SR 22 for 3 years. You may receive credit towards the mandatory IID installation period required upon conviction for any installation period during your APS suspension. **Note: You must clear all outstanding suspensions or revocations on your record in order to fully reinstate your driving privilege.**

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.



DUI REPEAT OFFENDERS

Alcohol Involved

21 and Older



IF YOU ARE **ARRESTED** FOR DRIVING UNDER THE INFLUENCE (DUI)

ADMINISTRATIVE PER SE (APS)

The Department of Motor Vehicles (DMV) is **required** to suspend or revoke the driving privilege of any person **arrested** for DUI of alcohol or a combination of alcohol and drugs, who:

- Takes a chemical test (blood or breath) that shows a blood alcohol concentration (BAC) level of 0.08% or more while driving a noncommercial vehicle, 0.04% while driving a commercial vehicle, and/or a 0.01% while on DUI probation, **OR**
- Refuses to take or fails to complete a chemical test (blood or breath) to determine their BAC level.

The DMV suspension or revocation is an immediate administrative action taken against your driving privilege. Any sanctions imposed by the DMV under APS are independent of any court-imposed jail sentence, fine, criminal penalty, or suspension or revocation imposed by DMV when a person is convicted for DUI (see reverse).

LICENSE SUSPENSION

If you are 21 years of age or older, took a chemical or urine test, the results showed 0.08% BAC or more and this is your 2nd or subsequent DUI arrest, you will receive a **1-year license suspension**. At the time of your arrest, the officer will confiscate your license and issue you an Order of Suspension and Temporary License. You may drive for 30 days from the date the order of suspension or revocation was issued, provided you have been issued a California driver license and your driver license is not expired, or your driving privilege is not suspended or revoked for any other reason. Your 1-year suspension will take effect after those 30 days.

ADMINISTRATIVE HEARING OPTION

You have the right to request a hearing from the DMV within 10 days of receipt of the suspension or revocation order. If the review shows there is no basis for the suspension or revocation, the action will be set aside. The DMV hearing is an administrative proceeding regarding your driving privilege and the circumstances surrounding the arrest, not whether you are innocent or guilty of a criminal act. More information regarding APS hearings can be found on the DMV's website, www.dmv.ca.gov.

Ignition Interlock Device (IID) Restricted License Option

You may apply for a restricted license immediately with the installation of an IID. With this restriction, you may drive at any time to any place, so long as the vehicle is equipped with an IID. You will have this restriction for up to 1 year. **You may receive credit towards the mandatory IID restriction period required upon conviction for any installation during your APS suspension.**

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Provide proof of IID installation (DL 920)
- Pay a \$125 APS fee

REINSTATEMENT

Once you have served your 1-year suspension period, or, if you opted to apply for a restricted license and have maintained the restriction for the applicable amount of time, you will be eligible to reinstate your driving privilege with no restrictions. **Note: Any court convictions/sanctions subsequent to your arrest may be in effect. You must clear all outstanding suspensions or revocations on your record in order to fully reinstate your driving privilege.**

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.



DUI REPEAT OFFENDERS

Alcohol Involved

21 and Older



IF YOU ARE CONVICTED OF DRIVING UNDER THE INFLUENCE (DUI)

If you are convicted of a DUI that did not cause injury, a DUI that caused injury to any person other than you, or vehicular manslaughter while intoxicated [CVC §§23152, 23153, or PC §191.5(b)], the Department of Motor Vehicles (DMV) will suspend or revoke your driving privilege. You may be subject to fines, penalties, and other restrictions in addition to any suspension or revocation of your driving privilege. The suspension or revocation based on your conviction may run concurrently to the APS suspension the DMV takes upon your arrest.

Offender Level	Non-Injury (CVC §23152)	With Injury [CVC §23153 or PC §191.5(b)]
2nd offender	2 year suspension	3 year revocation
3rd offender	3 year revocation	5 year revocation
4th offender or higher	4 year revocation	5 year revocation
2nd offender with a prior felony conviction	4 year revocation	5 year revocation

RESTRICTED LICENSE REQUIREMENT

Effective January 1, 2019, the Statewide Ignition Interlock Device (IID) Pilot Program requires repeat DUI offenders convicted of a DUI involving alcohol or a combination of alcohol and drugs to install an IID for a specified time in the vehicle they operate. During your IID restriction period, you can only drive vehicles that are equipped with a functioning, certified IID. The term of the IID restriction is based on your most current DUI conviction and the number of prior DUI convictions you have had within 10 years, as specified below.

Offender Level	Mandatory IID Restriction Term for CVC §23152 (non-injury)	Mandatory IID Restriction Term for CVC §23153 or PC §191.5(b) (injury)
2nd offender	1 year	2 years
3rd offender	2 years	3 years
4th offender or higher	3 years	3 years
2nd offender with a prior felony conviction	3 years	4 years

YOU WILL NOT BE ABLE TO REINSTATE YOUR DRIVING PRIVILEGE WITHOUT THE INSTALLATION OF AN IID, EVEN IF YOU HAVE SERVED YOUR SUSPENSION OR REVOCATION PERIOD.

To apply for this restricted license:

- Visit a DMV office (appointment recommended)
- Provide proof of enrollment in a DUI program
- Provide proof of insurance (SR 22)
- Provide proof of IID installation (DL 920)
- Pay a \$55 reissue fee, a \$15 restriction fee, and administrative service fees

EXEMPTIONS

You may qualify for an exemption from installing an IID if you are an out of state resident, have a medical condition that prevents you from being able to use an IID, or you do not own a vehicle. If you are granted an exemption, your driving privilege will remain suspended or revoked for the full length of your suspension or revocation. During your exemption period, you may apply for an IID-restricted license if your exemption status changes. More information and the exemption application forms are available on the DMV's website at www.dmv.ca.gov.

FULL REINSTATEMENT REQUIREMENTS

To reinstate your driving privilege with no restrictions, you must complete your mandatory IID installation term, or suspension term if granted an exemption, provide the DMV with proof of completion of a DUI program, and with proof of insurance (SR 22). You will be required to maintain the SR 22 for 3 years. You may receive credit towards the mandatory IID installation period required upon conviction for any installation period during your APS suspension (see reverse). **Note: You must clear all outstanding suspensions or revocations on your record in order to fully reinstate your driving privilege.**

If you held a commercial driver license at the time of your violation, you must downgrade to a non-commercial driver license to obtain any of the above driver license restriction options.

This flyer is for informational purposes and is not intended to provide legal advice. Many factors influence a DUI proceeding. For information on your specific situation, please contact the Mandatory Actions Unit (916) 657-6525.