

DRUNK DRIVING PENALTIES

Driving While Intoxicated

DWI [.08% and higher Blood Alcohol Content (BAC) or other evidence of intoxication]

	FINE	JAIL SENTENCE	LICENSE ACTION
1 ST Offense (Misdemeanor)	Minimum \$ 500 Maximum \$ 1,000	Up to 1 Year	Minimum 6-Month Revocation
2 nd Offense (Within 10 years / Class E Felony)	Minimum \$1,000 Maximum \$ 5,000	Up to 4 Years	Minimum 1-Year Revocation*
3 rd Offense (Within 10 years / Class D Felony)	Minimum \$2,000 Maximum \$10,000	Up to 7 Years	Minimum 1-Year Revocation*

A person convicted of DWI could be sentenced to 3 years probation for a misdemeanor conviction and 5 years probation for a felony conviction.

Aggravated Driving While Intoxicated

ADWI [.18% and higher Blood Alcohol Content (BAC)]

	FINE	JAIL SENTENCE	LICENSE ACTION
1 ST Offense (Misdemeanor)**	Minimum \$1,000 Maximum \$ 2,500	Up to 1 Year	Minimum 1-Year Revocation
2 nd Offense (Class E Felony)	Minimum \$1,000 Maximum \$ 5,000	Up to 4 Years	Minimum 18-Month Revocation
3 rd Offense (Class D Felony)	Minimum \$2,000 Maximum \$10,000	Up to 7 Years	Minimum 18 Month Revocation

Driving While Ability Impaired

DWAI [more than .05% to less than .08% Blood Alcohol Content (BAC)]

	FINE	JAIL SENTENCE	LICENSE ACTION
1 ST Offense (Traffic Infraction)	Minimum \$ 300 Maximum \$ 500	Up to 15 Days	90-Day Suspension
2 nd Offense Within 5 years (Traffic Infraction)	Minimum \$ 500 Maximum \$ 750	Up to 30 Days	Minimum 6-Month Revocation*
3 rd Offense Within 10 years (Misdemeanor)	Minimum \$ 750 Maximum \$1,500	Up to 180 Days	Minimum 6-Month Revocation*

Zero Tolerance

Drivers Under 21 [DMV administrative finding of .02% to .07% Blood Alcohol Content (BAC)]

	CIVIL PENALTY	LICENSE ACTION	ADDED FEE
1 ST Offense	Minimum \$125	6-Month Suspension	\$100 Suspension Termination Fee
2 nd Offense	Minimum \$125	1-Year Revocation or until age 21, whichever is longer	\$100 Re-Application Fee

* The Department of Motor Vehicles decides when your license can be returned. Its return or reinstatement, based on state law or regulation, is not automatic. You must apply for your license, pay civil penalties, a relicense fee and you may have to take a test.

** Cannot plead below DWI Misdemeanor.

The Cost of a Drunk Driving Conviction

First Time Offender

■ Towing	\$ 50	plus
■ Car Storage (Fee Per Day)	\$ 45	plus
■ Defense Attorney	\$500 to \$1,500	plus
■ Bail Fee	0 to \$ 250	plus
■ DWI Fine	\$300 to \$1,000	
■ Court Surcharge for Crime Victims Assistance Fund	\$ 20	
■ Court Surcharge for Misdemeanor Level Crimes	\$ 140	
■ Alcohol Evaluation	\$ 90	plus
■ DWI Victim Impact Panel Session	\$ 25	
■ Probation Supervision Fee	0 to \$ 250	plus
■ Conditional License	\$ 75	
■ Drinking Driver Program Fee	\$ 225	
■ DMV Civil Penalty	\$ 300	
■ DMV License Reinstatement Fee	\$ 50	
■ Auto Insurance (additional cost per year)	\$2,000 to \$3,000	
Total:	\$3,645 to \$6,845	

How A DWI Conviction Affects Auto Insurance...

Little Known Facts!!!

- An insurance company can deny no fault coverage (personal injury protection for medical, rehabilitation and loss of wages) to the driver that causes a motor vehicle crash due to alcohol/drug involvement.
- An insurance company can deny parents whose child resides with them the standard or preferred rate due to the alcohol related driving offense of their child. In other words, the insurance rates for parents could increase simply because their child lives with them and has a DWI conviction.

Local Resources

Alcohol/Drug Treatment Agencies

Al-Anon and Al-Ateen	607-722-0889
Alcoholics Anonymous	607-722-5983
Addiction Center of Broome County	607-723-7308
Fairview Alcoholism Crisis Center	607-722-4080
Mental Health Association of the Southern Tier, Inc.	607-771-8888
New Horizons Chemical Dependency Treatment	607-762-2257

Youth Services

Family and Children's Society	607-729-6206
Lourdes Youth Services	607-584-4500
Catholic Charities of Broome County – Gateway Center For Youth	607-584-7800
Berkshire Farm Center and Services For Youth	607-772-2903

Youth Counseling and Drug Treatment Referrals

First Call For Help	607-729-9100
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Victim Services

Crime Victims Assistance Center	607-722-4256
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Broome County Police Agencies

New York State Police.....	607-775-1241
Broome County Sheriff.....	607-778-1911
Binghamton Police.....	607-723-5321
Endicott Police.....	607-785-3341
Johnson City Police.....	607-729-9321
New York State Park Police.....	607-648-3662
Vestal Police.....	607-754-2386
Port Dickinson Police.....	607-722-1255
Deposit Police.....	607-467-2115
NY State University Police, Binghamton.....	607-777-2393

For More Information Contact:



P.O. Box 1766 / Binghamton, NY 13902
 Phone: 607-778-2056 / Fax: 607-778-2908
 Email: bcstopdwi@co.broome.ny.us

Barbara J. Fiala
 Broome County
 Executive



James F. May
 STOP-DWI
 Coordinator



Penalties for Driving While Intoxicated in New York State



New York State
 STOP-DWI Foundation