

CONSEQUENCES (effective Feb. 1, 2004):

TIER ONE -- § 3804(a)	TIER TWO -- § 3804(b)	TIER THREE -- § 3804(c)
§ 3802(a)(1) * (Genl. Imp. – Unsafe Driving) * no refusal or accident	§ 3802(a)(1) † (Genl. Imp. – Unsafe Driving) † w/accident (specify in charges)	§ 3802(a)(1) ‡ (Genl. Imp. – Unsafe Driving) ‡ w/refusal (specify in charges)
§ 3802(a)(2) (General Impairment – BAC)	§ 3802(b) (High Rate BAC)	§ 3802(c) (Highest Rate BAC)
	§ 3802(e) (Minors)	§ 3802(d) (Controlled Substances)
	§ 3802(f) (Commercial & School Vehicles)	

TIER ONE:	1st offense: § 3804(a)(1)	2d offense: § 3804(a)(2)	3d & subs. offense: § 3804(a)(3)
Grade	M – ungraded	M – ungraded	M2
Statutory Max	6 months probation	6 months jail	2 years jail
Mando Min	n/a	5 days jail	10 days jail
Fine	\$300	\$300 to \$2,500	\$500 to \$5,000
Treatment	AHSS; CRN; D&A (if warranted)	AHSS; CRN; D&A	CRN; D&A
Suspension	n/a	12 months	12 months
Ignition Interlock	n/a	12 months	12 months

TIER TWO:	1st offense: § 3804(b)(1)	2d offense: § 3804(b)(2)	3d offense: § 3804(b)(3)	4th & subs. offense: § 3804(b)(4)
Grade	M – ungraded	M – ungraded	M1	M1
Statutory Max	6 months jail	6 months jail	5 years jail	5 years jail
Mando Min	48 hours jail	30 days jail	90 days jail	1 year jail
Fine	\$500 to \$5,000	\$750 to \$5,000	\$1,500 to \$10,000	\$1,500 to \$10,000
Treatment	AHSS; CRN; D&A (if warranted)	AHSS; CRN; D&A	CRN; D&A	CRN; D&A
Suspension	12 months	12 months	18 months	18 months
Ignition Interlock	n/a	12 months	12 months	12 months

TIER THREE:	1st offense: § 3804(c)(1)	2d offense: § 3804(c)(2)	3d & subs. offense: § 3804(c)(3)
Grade	M – ungraded	M1	M1
Statutory Max	6 months jail	5 years jail	5 years jail
Mando Min	72 hours jail	90 days jail	1 year jail
Fine	\$1,000 to \$5,000	\$1,500 to \$10,000	\$2,500 to \$10,000
Treatment	AHSS; CRN; D&A (if warranted or if BAC is .16% or higher)	AHSS; CRN; D&A	CRN; D&A
Suspension	12 months	18 months	18 months
Ignition Interlock	n/a	12 months	12 months

Prior offenses defined for purposes of determining consequences (§ 3806(b)):

- Any prior conviction, adjudication of delinquency, juvenile consent decree, or acceptance into ARD
- within the 10-year period before the present violation was committed
- for any offense under §3802, former §3731, or a substantially similar offense in another jurisdiction.