

OFFENSE	DEG	INCARCERATION	FINE	SUSP	PRIVILEGES	VEHICLE / TREAT
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1ST OFFENSE (In 10 Years)

LOW TIER <i>.08 to .169</i>	M1	3 Days Jail OR 3 Days DIP <i>(May avoid jail w/ Interlock)</i>	\$565 to \$1,075	1-3 Years (Class 5)	After 15 Days <i>(Waivable)</i> Prior Phys. Ctrl: 45 Days +Refusal: 90 Days	Plates: Optional Interlock: Optional Treatment: Optional
HIGH TIER <i>.17+ or Refusal w/ prior</i>	M1	6 Days Jail OR 3 Days Jail + 3 Days DIP <i>(May avoid jail w/ Interlock)</i>	\$565 to \$1,075	1-3 Years (Class 5)	After 15 Days <i>(30 if Refusal)</i> Prior Phys. Ctrl: 45 Days +Refusal: 90 Days	Plates: Optional Interlock: Optional Treatment: Optional

2ND OFFENSE (In 10 Years)

LOW TIER	M1	10 Days Jail OR 5 Days Jail + 18 Days HAEM/CAM	\$715 to \$1,625	1-7 Years (Class 4)	After 45 Days	Immobilization: 90 Days Plates: Optional Interlock: Required Assessment: Mandatory
HIGH TIER	M1	20 Days Jail OR 10 Days Jail + 36 Days HAEM/CAM	\$715 to \$1,625	1-7 Years (Class 4)	After 45 Days <i>(90 if Refusal)</i>	Immobilization: 90 Days Plates: REQUIRED Interlock: Required Assessment: Mandatory

3RD OFFENSE (In 10 Years)

LOW TIER	Un-class.	30 Days Jail OR 15 Days Jail + 55 Days HAEM/CAM	\$1,040 to \$2,750	2-12 Years (Class 3)	After 180 Days	Forfeiture of Vehicle Plates: Required Interlock: Required Treatment: Mandatory
HIGH TIER	Un-class.	60 Days Jail OR 30 Days Jail + 110 Days HAEM/CAM	\$1,040 to \$2,750	2-12 Years (Class 3)	After 180 Days <i>(1 yr if Refusal)</i>	Forfeiture of Vehicle Plates: Required Interlock: Required Treatment: Mandatory

FELONY OFFENSES (4th or 5th in 10 Years OR 6th in 20 Years)

LOW TIER <i>or Drug</i>	F4	60 Days Local/Prison <i>Option: +6-30 mos Prison</i>	\$1,350 to \$10,500	3 Years to LIFE (Class 2)	After 3 Years	Forfeiture of Vehicle Plates/Interlock: Required Treatment: Mandatory
HIGH TIER <i>or Refusal</i>	F4	120 Days Local/Prison <i>Option: +6-30 mos Prison</i>	\$1,350 to \$10,500	3 Years to LIFE (Class 2)	After 3 Years	Forfeiture of Vehicle Plates/Interlock: Required Treatment: Mandatory

2ND FELONY LIFETIME

LOW TIER	F3	60 Days Prison <i>Up to 60 months</i>	\$1,350 to \$10,500	3 Years to LIFE (Class 2)	After 3 Years	Forfeiture of Vehicle Plates/Interlock: Required Treatment: Mandatory
HIGH TIER	F3	120 Days Prison <i>Up to 60 months</i>	\$1,350 to \$10,500	3 Years to LIFE (Class 2)	After 3 Years	Forfeiture of Vehicle Plates/Interlock: Required Treatment: Mandatory

ADDITIONAL SPECIFICATION (RC 2941.1413) – Applies to ANY Felony OVI (1st or 2nd)

SPECIFICATION <i>5+ Priors in 20 Years</i>	-	+1, 2, 3, 4, or 5 YEARS PRISON <i>(Mandatory Consecutive)</i>	-	-	-	Forfeiture of Vehicle Plates/Interlock: Required Treatment: Mandatory
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DEFINITIONS & PROHIBITED LIMITS

Key Terms

- Low Tier:** .08 to .169 BAC.
- High Tier:** .17 BAC or higher.
- Refusal:** Refusing a test w/ prior (20 Yrs).
- CDL:** 1st = 1 Year | 2nd = Lifetime.
- Restricted Plates:** Yellow/Red plates.
- Forfeiture:** Loss of vehicle ownership.

Estimated Costs

- **Interlock:** \$200 install + \$100/mo.
- **DIP Program:** \$350-\$550.
- **HAEM / CAM:** \$200 + \$15-\$30/day.
- **Reinstatement Fee:** \$315.

Common Penalty Terms

Interlock (Ignition Interlock Device): A breathalyzer for your vehicle. It requires a sample to start the ignition **and rolling retests approximately every 10 minutes** while driving. Required for any vehicle you operate (except employer vehicles).

DIP (Drivers Intervention Program): A mandatory 3-day hotel-based course on substance abuse and driving safety. Completion often allows a driver to waive the mandatory 3-day jail term for a first-offense OVI.

HAEM (House Arrest / Electronic Monitoring): Confinement to the home via an electronic ankle device. In OVI cases, this usually requires a court finding of "lack of jail space."

CAM (Continuous Alcohol Monitoring): Often referred to as a SCRAM bracelet. This device is worn on the ankle and continuously monitors for alcohol consumption via sweat.

Prohibited Concentrations (Current Limits)

ALCOHOL LIMITS

Sample	Low	High
Breath	.08-.169	≥.170
Whl Bld	.08%+	≥.17%
Serum	.096%+	≥.204%
Urine	.11-.237	≥.238

CONTROLLED SUBSTANCES

Substance	Urine ng/mL	Blood ng/mL
Amphetamine	500	100
Cocaine / Metab.	150	50
Heroin / Metab.	2000/10	50/10
L.S.D.	25	10
Marijuana	10	2
Marijuana Metab.	35	50
Mar. Metab.+U.I.	15	5
Methamphet.	500	100
Phencyclidine	25	10

VISUAL GUIDE: The "Penalty Escalator"

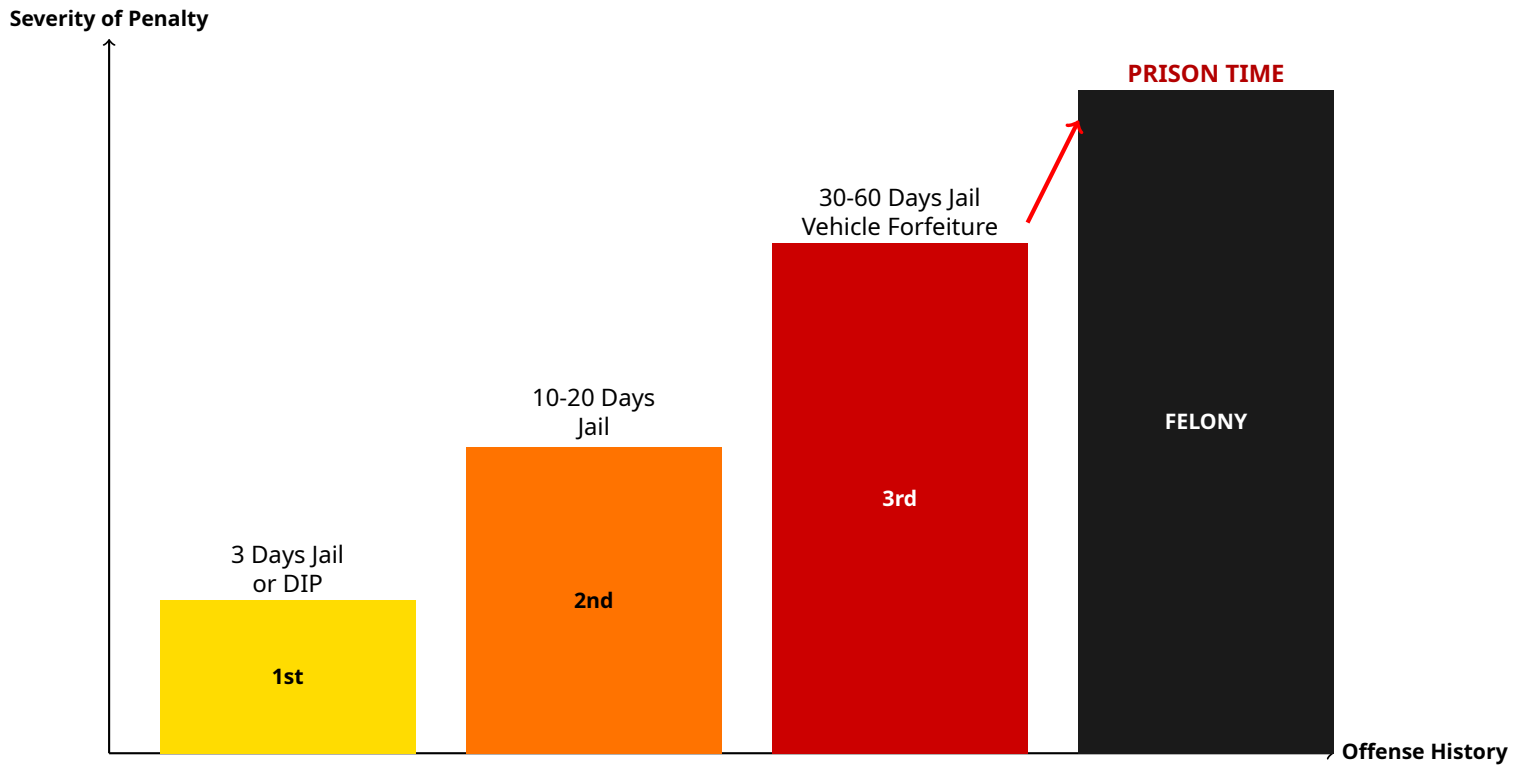


Figure: Penalties increase drastically with each offense within 10 years.

How the "Lookback Period" Works

Ohio generally uses a **10-Year lookback period** to determine the number of prior offenses. However, there are critical exceptions regarding refusals and felonies.

- **Standard Rule:** The court looks back 10 years. 0 priors = 1st Offense; 1 prior = 2nd Offense; 2 priors = 3rd Offense.
- **Felony Threshold:** An OVI becomes a **Fourth Degree Felony** on the 4th or 5th offense within 10 years, or the 6th offense within 20 years.
- **Permanent Felony Rule ("Once a Felony, Always a Felony"):** Once you are convicted of a felony OVI, *any* future OVI charge is automatically a felony, regardless of how much time has passed.
- **Refusal Rule (20-Year Lookback):** If you refuse a chemical test and have a prior OVI conviction within the past **20 years**, you will be charged with a "High Tier" offense, even if the prior conviction is outside the standard 10-year window.