

DUI & PHYSICAL CONTROL

Driver License

Department of Licensing (DOL)

- Request Hearing within 20 days of arrest
- Mail form close to day 20
- Mail Certified and send \$375 check
- Hearing must be within 60 days of arrest
- Hearing is by telephone
- Hearing Officer is employee of DOL
- Trooper/Officer can be subpoenaed
- Subpoena must be served 10 days prior
- If Officer does not appear, you win

Ignition Interlock License (IIL)

An IIL is a restricted license that allows you to continue driving if you lose your license because of a DUI. You will need an ignition interlock on all vehicles you drive (except work vehicles) and SR 22 insurance.

Ignition Interlock Device (IID)

Required if convicted of DUI or for the Ignition Interlock License. To be removed the DOL requires 4 months with no problems of failures.

IMPORTANT DUI LINKS & INFORMATION

[Snohomish County DUI Links](#)
[Whatcom County DUI Links](#)
[Whatcom County Criminal Defense Guides](#)
[Skagit County DUI Links](#)
[DOL & Licensing Information](#)
[Alcohol Evaluation Preparation](#)
[Deferred Prosecution](#)
[FREE DUI BOOKS](#)

Penalties (minimum)			
[<.15/>.15 or Refusal]	1st DUI	2nd DUI	3rd DUI
Jail	1 day/2 days	30 days/45 days	90 days/120 days
EHM	15 to 1 ratio	60 days /90 days	120 days/150 days
Fine	\$941/\$1195	\$1195/\$1621	\$2045/\$2896
License Suspension	90 days/1 year	2 years/2-3 years	3 years/4 years
SR 22 Insurance	3 years	3 years	3 years
Ignition Interlock	1 year	1-5 years	1-10 years
Alcohol/Drug Eval	Yes	Yes	Yes
DUI Victim's Panel	Yes	Yes	Yes
Probation	5 years	5 years	5 years

The Court System

Arraignment

1st Court Appearance-mandatory
Plead Not Guilty

Pretrial

Time to enter into a disposition; or
Continue for further negotiation; or
Continue to argue motions; or
Confirm for Trial

Motions

Separate hearing to argue legal issues

Jury Trial

Most DUIs don't go to trial, but for those that do, trial lasts 1-2 days

POSSIBLE REQUIREMENTS

Alcohol/Drug Evaluation [Required]
Complete as soon as possible.
You must complete what is recommended.

DUI Victim's Panel [Required]
2 hours long and is presented by victims of DUI

Probation
5 years for DUI/Physical Control; 2 years for others.
Maybe supervised or unsupervised.



DEFERRED PROSECUTION (DP)

The DP you to have your DUI dismissed on the condition that you complete a 2 year alcohol/drug treatment program. The program is divided into 3 phases: i) approx 3 months long (3+/week); ii) approx 6 months long (once/week); iii) approx 15 months long (once/month).

PROS (+)	CONS (-)
•DUI dismissed (in 5 yrs);	•2 years of intensive treatment;
•No loss of license;	•Considered a "prior" DUI;
•No jail.	•Only one DP a lifetime;
	•Costly unless good insurance.

POSSIBLE AMENDMENTS/REDUCTIONS

Reckless Driving

Def'n: Driving a motor vehicle in a willful or wanton disregard for the safety of persons or property
Penalties: 30 day license suspension; SR 22 insurance

Negligent Driving 1st Degree

Def'n: Operating a motor vehicle in a manner that is both negligent and endangers or is likely to endanger any person or property, and exhibits the effects of having consumed liquor or an illegal drug.
Penalties: No mandatory minimum penalties

Minor DUI

Def'n: Driving a motor vehicle, while under the age of twenty-one, and having an alcohol concentration of at least 0.02.
Penalties: 90 day license suspension

LAW FIRM OF DAVID N. JOLLY