

Iowa's OWI Law - Effective July 1, 2003

As of July 1, 2003, the "legal limit" in Iowa is .08 blood alcohol content (BAC) - lowered from .10 BAC.

Criminal Penalties for OWI in Iowa

Deferred Judgment

Available only for *first offender* who was not involved in a personal injury crash, who consented to the test and whose test result was less than .15 BAC.

Jail/Prison and Fine Minimums

1st offense - 48 hours jail / \$1,000 (reductions in fine possible)

2nd offense - 7 days jail / \$1,500

3rd offense - 30 days jail or commit to prison (5 years maximum) / \$2,500

License Sanctions for OWI and Implied Consent

License Revocations, Temporary Restricted Licenses ("Work Permits"), "Hard Suspensions" (Periods of Ineligibility for a Work Permit), and Ignition Interlock Requirements

.02 BAC violation (drivers under age 21 with alcohol in their system)

--License will be revoked for 60 days for a first .02 violation and 90 days for second or subsequent .02 violation. However, if a .02 violator refuses a test, the license revocation will be for 1 year.

--This is an administrative, not criminal, action. Violators are NOT eligible for a work permit.

1st offense (defendant consented to test) - revocation of 180 days

Work permit rules:

--Test between .08 and .10 BAC, and no crash involving personal injury or property damage, then no 30 day hard suspension and no ignition interlock requirement

--Test between .10 and .15 BAC and no crash involving personal injury or property damage, then no 30 day hard suspension but ignition interlock is required to receive a work permit

--Test above .15 BAC or test below .15 BAC with a crash involving personal injury or property damage - 30 day hard suspension and ignition interlock is required to receive a work permit

1st offense (defendant refused a test) - revocation of one year, hard suspension of at least 90 days

Work permit rules:

No work permit until hard suspension has passed; ignition interlock is required to receive a work permit

2nd offense (defendant consented to test) - revocation of one year and hard suspension of one year

Work permit rules:

No work permit is possible, because the hard suspension and the revocation are both one year. However, a person convicted of second or subsequent offense must have an ignition interlock installed for license reinstatement.

2nd or subsequent offense (defendant refused a test) - revocation of two years, hard suspension of one year

Work permit rules:

No work permit until hard suspension has passed; ignition interlock required to receive a work permit

3rd or subsequent offense

Sentencing court imposes six year revocation