

Alaska DUI / DWI Regulations

DUI / DWI Statutes	§28.35.030 ; §28.15.181
Criteria for DWI/DUI	<p>BAC \geq 0.00 if under 21 years old (“zero tolerance”)</p> <p>BAC \geq 0.04 while operating a commercial motor vehicle</p> <p>BAC \geq 0.08 for all non-commercial drivers aged 21 or older</p> <p>BACs \geq 0.16, \geq 0.24 enhanced penalties</p>
Penalties for 1 st offense	<p>A Misdemeanor Sentence Must Include:</p> <ul style="list-style-type: none"> ✧ A jail sentence ranging from a mandatory minimum of 72 hours (first offense) to a mandatory minimum of 360 days (sixth or subsequent non-felony offense) ✧ A fine ranging from a mandatory minimum of \$1,500 (first offense) to a mandatory minimum of \$7,000 (sixth or subsequent offense); PUB-11 (6/13) ✧ Revocation of the driver’s license or privilege to obtain a license for 90 days or more unless the offense occurred in a watercraft (for some offenses, a limited license may be available during part of the revocation if certain criteria are met) ✧ For violations involving alcohol or intoxicating liquor, an order requiring use of an ignition interlock device after the privilege to drive is regained (except in certain communities not on the state road system) ✧ Disqualification (prohibition from operating a commercial vehicle, no limited license allowed) if the offense was committed in a commercial vehicle ✧ An order to submit to drug and alcohol evaluation and complete any treatment program required by the evaluating agency ✧ An order to pay certain surcharges, and the cost of emergency response services if any were required following a motor vehicle accident related to the offense ✧ An order to pay the cost of imprisonment <p>A Misdemeanor Sentence May Also Include:</p> <ul style="list-style-type: none"> ✧ An order to pay for damage caused as a result of the offense

*National Motorists Association
December 2015*

This information was current at the time of publication. The reader should check official sources for the latest versions of regulations.

Alaska DUI / DWI Regulations

	<ul style="list-style-type: none"> ✧ An order to complete an approved driver improvement course ✧ An order to perform community work service ✧ A term of probation and requirement to comply with probation conditions ✧ An order to forfeit the vehicle, aircraft, or watercraft ✧ An order to take a prescription medication that discourages the consumption of alcohol
"Look back" period	15 years
Penalties for repeat offender	<p>Penalties for Felony Offenses depend on when the prior offenses occurred. A third or subsequent DUI or Refusal may be a felony, and result in a higher mandatory minimum jail sentence, fine, and other penalties.</p> <p>A Felony Sentence Must Include:</p> <ul style="list-style-type: none"> ✧ A jail sentence ranging from a mandatory minimum of 120 days (third offense) to a mandatory minimum of 360 days (fifth or subsequent offense) ✧ A mandatory minimum fine of \$10,000 ✧ Permanent revocation of the driver's license, and permanent loss of the privilege to drive or privilege to get a license (subject to restoration of license after a minimum of 10 years and only if certain other conditions are met) ✧ Forfeiture of the vehicle, watercraft, aircraft used in the incident ✧ Revocation of registrations of all vehicles in your name ✧ For violations involving alcohol or intoxicating liquor, an order requiring use of an ignition interlock device for a mandatory minimum of 60 months if the privilege to drive is regained (except in certain communities not on the state road system) ✧ Disqualification for life from operating commercial vehicles if the incident was committed in a commercial vehicle

*National Motorists Association
December 2015*

This information was current at the time of publication. The reader should check official sources for the latest versions of regulations.

Alaska DUI / DWI Regulations

	<ul style="list-style-type: none"> ✧ An order to submit to drug and alcohol evaluation, and complete any treatment program(s) required by the evaluating agency ✧ An order to pay certain surcharges, and the cost of emergency response services if any were required after the incident. <p>A Felony Sentence May Also Include:</p> <ul style="list-style-type: none"> ✧ An order to pay for damage caused as a result of the offense ✧ An order to perform community work service ✧ An order to take prescription medications that discourage the consumption of alcohol ✧ A term of probation and a requirement to comply with probation conditions. Fines double when offenses are committed in a highway work zone (AS 28.90.030)
License suspensions	<p>1st offense: 90 days 2nd offense: 1 year 3rd offense: 3 years 4th and subsequent offenses: 5 years</p> <p>License may be "permanently revoked" for felony convictions (subject to restoration after 10 years)</p>
Ignition interlocks	<p>Required for all offenses, immediately after cessation of suspension:</p> <p>1st offense: 6 months 2nd offense: 12 months 3rd offense: 18 months 4th offense: 24 months 5th offense: 30 months 6th offense: 36 months</p>
Vehicle impoundment	<p>Impoundment and forfeiture of vehicle if license of driver is currently cancelled, denied, suspended, or revoked for DUI/DWI.</p>
Open Container laws:	<ul style="list-style-type: none"> ✧ May not be accessible to the driver unless driver is hired and there is a physical barrier between driver and passengers OR driver is

*National Motorists Association
December 2015*

This information was current at the time of publication. The reader should check official sources for the latest versions of regulations.

Alaska DUI / DWI Regulations

	hired and vehicle's capacity is 12 or more passengers ✧ \$200 fine ✧ 2 administrative "drivers points" assessed.
--	--

Sources

<http://www.courtrecords.alaska.gov/webdocs/forms/pub-11.pdf>

<http://dui.drivinglaws.org/alaska.php>

<http://www.muni.org/Departments/legal/civil/Pages/ForfeitureVehicles.aspx>

<http://www.courts.alaska.gov/specproj/version-a.pdf>

<http://www.ncsl.org/research/financial-services-and-commerce/open-container-and-consumption-statutes.aspx>

National Motorists Association

December 2015

This information was current at the time of publication. The reader should check official sources for the latest versions of regulations.