

**UNDER THE INFLUENCE MANDATORY  
SENTENCING CHART**

CHARGE and SENTENCING REFERENCE	OFFENSE	BASE FINE	84% SURCHARGE	\$20 PROBATION SURCHARGE AMOUNT	PRISON CONSTRUCTION ASSESSMENT	PUBLIC SAFETY EQUIPMENT FEE	DUI ABATEMENT FEE	JAIL REIMBURSEMENT FEE A.R.S. 13-804.01	BASE JAIL/DOC TIME	JAIL TIME SUSPENDED UPON ALC/DRUG SCREENING	NUMBER OF CONSECUTIVE DAYS IN JAIL	ALCOHOL/DRUG SCREENING A.R.S. 28-1387B	COMMUNITY RESTITUTION HOURS	
		Per A.R.S. § 5-398.01, § 28-1389, and § 28-8292, fines, surcharges and assessments cannot be waived.												
<b>BOATING UNDER INFLUENCE/OPERATING UNDER THE INFLUENCE (OUI)</b>														
<b>5-395A1 (OUI) -- per 5-395.01</b>														
Op watercraft while intoxicated: liq, drugs, vapor	First	250	210	20	500	500	NONE	YES	10 DAYS	ALL	0	YES	MAY	
Op watercraft while intoxicated: liq, drugs, vapor (reckless endangerment)	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
Op watercraft while intoxicated: liq, drugs, vapor	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
Op watercraft while intoxicated: liq, drugs, vapor (reckless endangerment)	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	NONE	30 DAYS	YES	30 HOURS	
<b>5-395A2 (OUI) -- per 5-395.01</b>														
Op watercraft while intoxicated: liq, drugs, vapor .08+	First	250	210	20	500	500	NONE	YES	10 DAYS	ALL	0	YES	MAY	
Op watercraft while intoxicated: liq, drugs, vapor .08+ (reckless endangerment)	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
Op watercraft while intoxicated: liq, drugs, vapor .08+	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
Op watercraft while intoxicated: liq, drugs, vapor .08+ (reckless endangerment)	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	NONE	30 DAYS	YES	30 HOURS	
<b>5-395A3 (OUI) -- per 5-395.01</b>														
Op watercraft while intoxicated: drugs listed in 13-3401	First	250	210	20	500	500	NONE	YES	10 DAYS	ALL	0	YES	MAY	
Op watercraft while intoxicated: drugs listed in 13-3401 (reckless endangerment)	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
Op watercraft while intoxicated: drugs listed in 13-3401	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
Op watercraft while intoxicated: drugs listed in 13-3401 (reckless endangerment)	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	NONE	30 DAYS	YES	30 HOURS	
<b>5-395A4 (OUI) -- per 5-395.01</b>														
Commercial op of watercraft; BAC .04 or +	First	250	210	20	500	500	NONE	YES	10 DAYS	ALL	0	YES	MAY	
Commercial op of watercraft; BAC .04 or + (reckless endangerment)	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
Commercial op of watercraft; BAC .04 or +	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
Commercial op of watercraft; BAC .04 or + (reckless endangerment)	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	NONE	30 DAYS	YES	30 HOURS	
<b>5-396A1 (OUI) -- per 5-396</b>														
Op watercraft aggravated	First	750	630	20	1500	1500	250	YES	12 MONTHS	NONE	4 MONTHS	YES	MAY	
Op watercraft aggr 2 or more priors within 84 mo		750	630	20	1500	1500	250	YES	24 MONTHS	NONE	8 MONTHS	YES	MAY	
<b>5-396A2a (OUI) passenger under 15 YOA/ commit first offense of 5-395 -- per 5-396</b>														
Op watercraft aggravated	First	750	630	20	1500	1500	250	YES	10 DAYS	ALL	0	YES	MAY	
Op watercraft aggravated (reckless endangerment)	First	750	630	20	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
<b>5-396A2b (OUI) passenger under 15 YOA/ commit second offense of 5-395-- per 5-396</b>														
Op watercraft aggravated	First	750	630	20	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
Op watercraft aggravated (reckless endangerment)	First	750	630	20	1500	1500	250	YES	90 DAYS	NONE	30 DAYS	YES	30 HOURS	
<b>5-396A2c (OUI) passenger under 15 YOA/ commit violation of 5-397-- per 5-396</b>														
Op watercraft aggravated 0.15 - 0.19 BAC	First	750	630	20	1500	1500	250	YES	30 DAYS	20 DAYS	10 DAYS	YES	MAY	
Op watercraft aggravated 0.20 or + BAC	First	750	630	20	1500	1500	250	YES	45 DAYS	NONE	45 DAYS	YES	MAY	
<b>5-397A1 (OUI) -- per 5-397</b>														
Op watercraft extreme 0.15 - 0.19 BAC	First	250	210	20	1000	1000	250	YES	30 DAYS	20 DAYS	10 DAYS	YES	MAY	
Op watercraft extreme 0.15 - 0.19 BAC	Second	500	420	20	1250	1250	250	YES	120 DAYS	60 DAYS	60 DAYS	YES	30 HOURS	
<b>5-397A2 (OUI) -- per 5-397</b>														
Op watercraft extreme 0.20 or + BAC	First	500	420	20	1000	1000	250	YES	45 DAYS	NONE	45 DAYS	YES	MAY	

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		Per A.R.S. § 5-398.01, § 28-1389, and § 28-8292, fines, surcharges and assessments cannot be waived.												
Op watercraft extreme 0.20 or + BAC	Second	1000	840	20	1250	1250	250	YES	180 DAYS	NONE	90 DAYS	YES	30 HOURS	

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<b>DRIVING UNDER INFLUENCE</b>														
<b>28-1381A1 (DUI) -- per 28-1381</b>														
DUI Liquor/drugs/vapors	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
DUI Liquor/drugs/vapors	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
<b>28-1381A2 (DUI) -- per 28-1381</b>														
DUI Liquor BAC .08 or more	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
DUI Liquor BAC .08 or more	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
<b>28-1381A3 (DUI) -- per 28-1381</b>														
DUI Drug listed in 13-3401 or metabolite	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
DUI Drug listed in 13-3401 or metabolite	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
<b>28-1381A4 (DUI) -- per 28-1381</b>														
DUI Commercial vehicle driver BAC .04 +	First	250	210	20	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	MAY	
DUI Commercial vehicle driver BAC .04 +	Second	500	420	20	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	30 HOURS	
<b>28-1382A1 (DUI) -- per 28-1382</b>														
DUI Extreme BAC .15 - 0.19	First	250	210	20	1000	1000	250	YES	30 DAYS	NONE	30 DAYS	YES	MAY	
DUI Extreme BAC .15 - 0.19	Second	500	420	20	1250	1250	250	YES	120 DAYS	NONE	60 DAYS	YES	30 HOURS	
<b>28-1382A2 (DUI) -- per 28-1382</b>														
DUI Extreme BAC .20 or more	First	500	420	20	1000	1000	250	YES	45 DAYS	NONE	45 DAYS	YES	MAY	
DUI Extreme BAC .20 or more	Second	1000	840	20	1250	1250	250	YES	180 DAYS	NONE	90 DAYS	YES	30 HOURS	
<b>28-1383A1 (DUI) -- per 28-1383</b>														
DUI Aggrav w/driver license restriction	First	750	630	20	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	N/A	
<b>28-1383A2 (DUI) -- per 28-1383</b>														
DUI Aggrav with priors	First	750	630	20	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	N/A	
DUI Aggrav w/3 or more priors in 84 months		Not less than \$750	84 percent of fine	20	1500	1500	250	YES	8 MONTHS	NONE	8 MONTHS	YES	N/A	
<b>28-1383A3A (DUI) -- per 28-1383</b>														
DUI Aggrav child under 15 in car Ref 28-1381	First	750	630	20	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	N/A	
DUI Aggr child undr 15 in car Ref 28-1381(1)	Second	750	630	20	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	N/A	
DUI Aggrav child under 15 in car Ref 28-1381	Third+	750	630	20	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	N/A	
<b>28-1383A3B (DUI) -- per 28-1383</b>														
DUI Aggrav child under 15 in car Ref 28-1382	First	750	630	20	1500	1500	250	YES	30 DAYS	20 DAYS	10 DAYS	YES	N/A	
DUI Agg child undr 15 in car Ref 28-1382D	Second	750	630	20	1500	1500	250	YES	120 DAYS	60 DAYS	60 DAYS	YES	N/A	
DUI Aggrav child under 15 in car Ref 28-1382	Third+	750	630	20	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	N/A	
<b>28-1383A4A (DUI) -- per 28-1383</b>														
DUI Agg w/CIID Refuse Test per 28-1321	First	750	630	20	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	N/A	
DUI Agg w/CIID Refuse Test per 28-1321	Second	750	630	20	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	N/A	
<b>28-1383A4B (DUI) -- per 28-1383</b>														
DUI Agg w/CIID violate 28-1381 or 1382	First	750	630	20	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	N/A	
DUI Agg w/CIID violate 28-1381 or 1382	Second	750	630	20	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	N/A	

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<b>FLYING UNDER INFLUENCE (see individual sentencing reference for each occurrence)</b>														
<b>28-8282A1 (FUI)</b>														
Op aircraft FUI liq/drugs/narco Ref 28-8284 (1st)	First	250	210	20	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES	MAY	
Op aircraft FUI liq/drugs/narco Ref 28-8286 Alt	Alternative	250	210	20	500	500	NONE	NO	NONE	NONE	NONE	YES	MAY	
Op aircraft FUI liq/drugs/narco Ref 28-8287 (2nd)	Second	500	420	20	1250	1250	NONE	YES	60 DAYS	NONE	--	YES	N/A	
Op aircraft FUI liq/drugs/narco Ref 28-8288 (3rd)	Third+	750	630	20	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES	N/A	
<b>28-8282A2 (FUI)</b>														
Op aircraft w/phys/mental disability Ref 28-8284	First	250	210	20	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES	MAY	
Op aircraft w/phys/mentl disabil-Alt Ref 28-8286	Alternative	250	210	20	500	500	NONE	NO	NONE	NONE	NONE	YES	MAY	
Op aircraft with phys/mental disability Ref 28-8287	Second	500	420	20	1250	1250	NONE	YES	60 DAYS	NONE	--	YES	N/A	
Op aircraft with phys/mental disability Ref 28-8288	Third+	750	630	20	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES	N/A	
<b>28-8282C1 (FUI)</b>														
Op aircraft FUI liq/drugs .04+ Ref 28-8284	First	250	210	20	500	500	NONE	NO	24 HOURS	NONE	24 HOURS	YES	MAY	
Op aircraft FUI liq/drugs .04+ Altrn Ref 28-8486	Alternative	250	210	20	500	500	NONE	NO	NONE	NONE	NONE	YES	MAY	
Op aircraft FUI liquor/drugs .04+ Ref 28-8287	Second	500	420	20	1250	1250	NONE	NO	60 DAYS	NONE	--	YES	N/A	
Operate aircraft FUI liquor/drugs .04+ Ref 28-8288	Third+	750	630	20	1500	1250	NONE	NO	6 MONTHS	NONE	--	YES	N/A	
<b>28-8282C2 (FUI)</b>														
Op aircraft w/in 8 hrs of being intox Ref 28-8284	First	250	210	20	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES	MAY	
Op aircraft w/in 8 hrs of being intox Alt Ref 28-8286	Alternative	250	210	20	500	500	NONE	NO	NONE	NONE	NONE	YES	MAY	
Op aircraft w/in 8 hrs of being intox Ref 28-8287	Second	500	420	20	1250	1250	NONE	YES	60 DAYS	NONE	--	YES	N/A	
Op aircraft w/in 8 hrs of being intox Ref 28-8288	Third+	750	630	20	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES	N/A	
<b>28-8282D (FUI)</b>														
Owner/mgr allows intox person to fly Ref 28-8284	First	250	210	20	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES	MAY	
Ownr/mgr allows intox prsn to fly Alt Ref 28-8286	Alternative	250	210	20	500	500	NONE	NO	NONE	NONE	NONE	YES	MAY	
Owner/mgr allows intox person to fly Ref 28-8287	Second	500	420	20	1250	1250	NONE	YES	60 DAYS	NONE	--	YES	N/A	
Ownr/mgr allows intox person to fly Ref 28-8288	Third+	750	630	20	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES	N/A	
<b>28-8284 (FUI)</b>														
For 1st violation of 28-8282 et seq	First	250	210	20	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES	MAY	
<b>28-8286 (FUI)</b>														
Alternative sentence for 1st viol 28-8282 et seq	Alternative	250	210	20	500	500	NONE	NO	NONE	NONE	NONE	YES	MAY	
<b>28-8287 (FUI)</b>														
For 2nd violation of 28-8282 et seq	Second	500	420	20	1250	1250	NONE	YES	60 DAYS	NONE	--	YES	N/A	
<b>28-8288 (FUI)</b>														
For 3rd or more violations of 28-8282 et seq	Third+	750	630	20	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES	N/A	