[Court Heading]

STATE OF IDAHO ) Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

)

Plaintiff, ) NOTIFICATION OF PENALTIES

) FOR SUBSEQUENT VIOLATION

v. )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, )

Defendant. )

TO: ABOVE NAMED DEFENDANT.

YOU ARE HEREBY NOTIFIED that if you plead guilty to or are found guilty of another violation of Driving under the Influence the penalties will be as follows:

1. A SECOND DUI VIOLATION within 10 years, including withheld judgments, is a misdemeanor and you:

(a) Shall be sentenced to jail for at least 10 days, and up to 1 year, the first 48 hours of which must be consecutive and 5 days of which must be served in jail;

(b) May be fined up to $2,000.00;

(c) Shall have your driving privileges suspended for a minimum of 1 year during which absolutely no driving privileges of any kind may be granted; and

(d) Following the 1 year mandatory license suspension period, shall only drive a motor vehicle equipped with a functioning ignition interlock system for a minimum of 1 year.

2. A SECOND DUI VIOLATION within 5 years where in both cases there was an alcohol concentration of .20 or more IS A FELONY, and you:

(a) Shall be sentenced to the custody of State Board of Corrections for up to 5 years, but if the court imposes a jail sentence instead of the state penitentiary it shall be for a minimum period of not less than 30 days; and

(b) May be fined up to $5,000.00;

(c) Shall have your driving privileges suspended for at least 1 year and not more than 5 years after release from imprisonment, during which absolutely no driving privileges of any kind may be granted; and

(d) Following the 1 year mandatory license suspension period, shall only drive a motor vehicle equipped with a functioning ignition interlock system for a minimum of 1 year.

3. A THIRD DUI VIOLATION within 10 years, OR a SUBSEQUENT DUI with a previous felony DUI or aggravated DUI within 15 years IS A FELONY, and you:

(a) Shall be sentenced to the custody of State Board of Corrections for up to 10 years, but if the court imposes a jail sentence instead of the state penitentiary it shall be for a minimum period of not less than 30 days the first 48 hours of which must be consecutive and 10 days of which must be served in jail; and

(b) May be fined up to $5,000.00;

(c) Shall have your driving privileges suspended for at least 1 year and not more than 5 years after release from imprisonment, during which absolutely no driving privileges of any kind may be granted in the first year; and

(d) Following the 1 year mandatory license suspension period, shall only drive a motor vehicle equipped with a functioning ignition interlock system for a minimum of 1 year.

I HAVE READ THIS ENTIRE DOCUMENT; I HAVE HAD IT EXPLAINED TO ME; AND I HAVE RECEIVED A COPY.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE DEFENDANT