

Ohio OVI Sentences

Effective 4/09/25

Offense Number	Level ¹	Fine	Incarceration	License Suspension	Hard Time ²	Restricted Plates ³ Interlock (IID) ⁴	Immobilization Forfeiture	Treatment
First in 10 Yrs.	M-1	\$565 to \$1,075	3 days ⁵ to 6 months	1 year to 3 years ^{6,7}	15 days ⁸	Plates optional IID optional	No	Optional
First in 10 & High Test or Refusal w/Prior	M-1	\$565 to \$1,075	6 days ⁵ to 6 months	1 year to 3 years ^{6,7}	15 days ⁸	Plates mandatory IID optional	No	Optional
Second in 10 Yrs.	M-1	\$715 to \$1,625	10 days to 6 months ⁹	1 year to 7 years ¹⁰	45 days	Plates optional IID mandatory if alcohol-related	90 days ¹¹	Assessment Mandatory
Second in 10 & High Test or Refusal w/Prior	M-1	\$715 to \$1,625	20 days to 6 months ⁹	1 year to 7 years ¹⁰	45 days	Plates mandatory IID mandatory if alcohol-related	90 days ¹¹	Assessment Mandatory
Third in 10 Yrs.	Un-Classified	\$1,040 to \$2,750	30 days to 12 months ⁹	2 years to 12 years ¹⁰	180 days	Plates mandatory IID mandatory if alcohol-related	Forfeiture	Treatment Mandatory
Third in 10 & High Test or Refusal w/Prior	Un-Classified	\$1,040 to \$2,750	60 days to 12 months ⁹	2 years to 12 years ¹⁰	180 days	Plates mandatory IID mandatory if alcohol-related	Forfeiture	Treatment Mandatory
4 th in 10 Yrs. or 6 th in 20 Yrs.	F-4	\$1,540 to \$10,500	60 days to 30 months	3 years to Life ¹²	3 years ¹³	Plates mandatory IID mandatory if alcohol-related	Forfeiture	Treatment Mandatory
4 th in 10 Yrs. or 6 th in 20 Yrs. & High Test/Refusal	F-4	\$1,540 to \$10,500	120 days to 30 months	3 years to Life ¹²	3 years ¹³	Plates mandatory IID mandatory if alcohol-related	Forfeiture	Treatment Mandatory
2 nd Felony	F-3	\$1,540 to \$10,500	60 days to 5 years	3 years to Life ¹³	3 years ¹³	Plates mandatory IID mandatory if alcohol-related	Forfeiture	Treatment Mandatory
2 nd Felony & High Test or Refusal w/Prior	F-3	\$1,540 to \$10,500	120 days to 5 years	3 years to Life ¹³	3 years ¹³	Plates mandatory IID mandatory if alcohol-related	Forfeiture	Treatment Mandatory
Recidivist Specification			1-5 years Additional					

Lesser Offense Sentences

Lesser Offense	Level	Fine	Incarceration	License Suspension	Hard Time	Restricted Plates Interlock (IID)	Immobilization Forfeiture	Treatment
Physical Control Under Influence	M-1	\$0 to \$1,000	0 days to 6 months	0 days to 1 year	0 days	Optional	No	Optional
OVUAC-1 st in 1 year	M-4	\$0 to \$250	0 days to 30 days	90 days to 2 yrs	60 days	Optional ¹⁴	No	Optional
OVUAC-2 nd in 1 year	M-3	\$0 to \$500	0 days to 60 days	1 year to 5 yrs	60 days	Optional	No	Optional

¹ Information on level, fine, incarceration, license suspension, immobilization/forfeiture, and treatment is found in R.C. 4511.19(G)(1).

² 'Hard time' is the waiting period for limited driving privileges and is addressed in R.C. 4510.13(A)(5).

³ Ordering the use of restricted plates use is governed by R.C. 4510.13(A)(7) and R.C. 4510.021(C).

⁴ Ordering the use of an ignition interlock device (IID) use is governed by R.C. 4510.13(A)(5) and R.C. 4510.021(C).

⁵ Court may impose Driver Intervention Program in lieu of 3-day jail term. Jail term suspended if court grants unlimited privileges with IID. R.C. 4511.19(G)(1)(a).

⁶ Suspension, except for first six months, may be suspended. R.C. 4510.13(A)(2)(a).

⁷ Suspension may be reduced by up to half if unlimited driving privileges with IID granted. R.C. 4510.022(C)(2)(b).

⁸ 15-day hard time may be waived if defendant has no prior convictions for Physical Control and did not refuse. R.C. 4510.13(A)(5)(a)(i).

If defendant has prior conviction for Physical Control w/in 10 years, hard time is 45 days, and IID required. R.C. 4510.13(A)(5)(a)(ii).

⁹ Court may make finding of jail overcrowding and substitute house arrest for portion of jail term. R.C. 4511.19(G)(3).

¹⁰ Suspension, except for first one year, may be suspended. R.C. 4510.13(A)(2)(b).

¹¹ Court may terminate immobilization if privileges granted. R.C. 4510.13(A)(5)(e)(ii).

Court may waive immobilization if family/household member completely dependent on vehicle for necessities of life. R.C. 4503.235.

¹² Suspension, except for first three years, may be suspended. R.C. 4510.13(A)(2)(b).

¹³ Court cannot grant privileges if defendant has three or more previous OVI convictions in ten years. R.C. 4510.13(A)(3).

¹⁴ Court may grant unlimited driving privileges with IID: jail term is suspended, and license suspension may be reduced by half. R.C. 4510.022(C).



Ohio Administrative License Suspensions

Effective 4/09/25

Refusal of Breath/Blood/Urine/Oral Fluid Test

# of Refusals/Convictions in Past 10 years	Length of ALS ⁱ	Waiting Period for Limited Driving Privileges ⁱⁱ	Restricted Plates ⁱⁱⁱ	Interlock ^{iv}
1 st	1 year	30 days	Optional	Optional
1 st and Prior Physical Control Conviction w/in 10 years ^v	1 year	90 days	Optional	Mandatory
2 nd	2 years	90 days	Optional	Mandatory if Alcohol Related. Optional if Drug Related.
3 rd	3 years	1 year	Optional	Mandatory if Alcohol Related. Optional if Drug Related.
4 th or More	5 years	3 years ^{vi}	Optional	Mandatory if Alcohol Related. Optional if Drug Related.

Test Result At Or Over Prohibited Concentration

# of Convictions in Past 10 years	Length of ALS ^{vii}	Waiting Period for Limited Driving Privileges ^{viii}	Restricted Plates ^{ix}	Interlock ^x
1 st	90 Days	15 Days ^{xi}	Optional	Optional
1 st and Prior Physical Control Conviction w/in 10 years ^{xii}	90 Days	45 Days	Optional	Mandatory
2 nd	1 year	45 Days	Optional	Mandatory if Alcohol Related. Optional if Drug Related.
3 rd	2 years	180 Days	Optional	Mandatory if Alcohol Related. Optional if Drug Related.
4 th or More	3 years	3 years ^{xiii}	Optional	Mandatory if Alcohol Related. Optional if Drug Related.

ⁱ The length of a *refusal* ALS is determined by *R.C. 4511.191(B)(1)*. If defendant is convicted of OVI, ALS terminates, and time served under ALS is credited toward judicial suspension. *R.C. 4511.191(B)(2)*. If defendant is found not guilty, ALS continues. *R.C. 4511.19(D)(1)*.

ⁱⁱ The waiting period for driving privileges ('hard time') on a refusal ALS is addressed in *R.C. 4510.13(A)(6)*.

ⁱⁱⁱ Ordering the use of restricted plates is permitted by *R.C. 4510.021(C)*.

^{iv} Ordering the use of an IID on a refusal ALS is governed by *R.C. 4510.13(A)(6)* and *R.C. 4510.021(C)*.

^v *R.C. 4510.13(A)(6)(a)(ii)*.

^{vi} Court cannot grant privileges on a refusal ALS if defendant has three or more prior refusals within last 10 years. *R.C. 4510.13(A)(3)*.

^{vii} The length of a *prohibited concentration* ALS is determined by *R.C. 4511.191(C)(1)*. If defendant is convicted of OVI, ALS terminates, and time served under ALS is credited toward judicial suspension. *R.C. 4511.191(C)(2)*. If defendant is found not guilty, ALS terminates. *R.C. 4511.197(D)*. Prohibited concentrations are listed in *R.C. 4511.19(A)(1)(b), (c), (d), (e), (j)*.

^{viii} The waiting period for driving privileges ('hard time') on a prohibited concentration ALS is addressed in *R.C. 4510.13(A)(5)*.

^{ix} Ordering the use of restricted plates is permitted by *R.C. 4510.021(C)*.

^x Ordering the use of an IID on a prohibited concentration ALS is governed by *R.C. 4510.13(A)(5)* and *R.C. 4510.021(C)*.

^{xi} The 15-day hard time may be waived if defendant has no prior convictions for Physical Control. *R.C. 4510.13(A)(5)(a)(i)*.

^{xii} *R.C. 4510.13(A)(5)(a)(ii)*.

^{xiii} Court cannot grant privileges on a prohibited concentration ALS if defendant has three or more prior OVI convictions within last 10 years. *R.C. 4510.13(A)(3)*.

