

NOTICE IN DWI CASES

1. If your intoximeter reading is .08 or higher your license will be revoked for an initial period of thirty (30) days. After ten (10) days you may apply for a pretrial privilege provided you have obtained an alcohol assessment and provide a DL123 from your insurance company proving you have insurance. This privilege will be valid from day eleven (11) through day thirty (30) and the cost is \$100.00 payable to the Clerk of Superior Court.
2. You **MUST** have an assessment done before court in order to be eligible for a driving privilege or pretrial privilege. There are many places where this can be done. We have attached some reputable agencies to this letter.
3. After the conclusion of your Driving While Impaired case, if you are eligible for a Limited Driving Privilege, we must have a DL123 form from your insurance agent. **This form should be completed and dated within 30 days of your court date. The courts will not accept a DL123 form over 30 days old.** If you do not have a vehicle registered in your name, but drive one that is registered to someone in your household, it will be necessary to have a DL123A form. This form may be faxed directly to our office at 336-885-7400. **The cost is \$100.00 to obtain a privilege.**
3. If your license was suspended for thirty (30) days because you blew .08 or more on the intoximeter, it is essential that you do not drive until the thirty (30) days have passed and you have paid \$100.00 restoration fee at the courthouse. **If you are caught driving during that period, you are subject to being charged with driving while license revoked.** It is essential that the \$100.00 fee be paid before going to court if you intend to ask for a Limited Driving Privilege.
4. If it is alleged that you refused the intoximeter, you will get a letter from North Carolina Department of Motor Vehicles suspending your license. If you wish to contest the alleged refusal, you **MUST** notify the Department of Motor Vehicles prior to your date of suspension for a hearing. If you fail to do so prior to the date of suspension, it will be too late and you lose your right to a hearing. You may notify the DMV by writing a statement that you wish to appeal and mailing the statement to the DMV within the short time frame provided. Please make a copy of the statement and envelope for your records.
5. **If the address on your license is different than the address where you actually reside, inform the Division of Motor Vehicles; otherwise, important notices may be sent to your old address and not received. The Division of Motor Vehicles does not forward mail. This could result in additional problems in your case.**
6. If you need to drive after 8:00 p.m. Monday-Friday or anytime on the weekends for **WORK ONLY**, you must get a letter from your employer and bring it to our office. The letter from your employer **MUST** be on company letterhead and signed; stating your non-standard working hours such as Saturday and Sunday or after 8 p.m. and hours of employment. Remember to include all possible hours since your privilege will be for an entire year.

7. If you are convicted of Driving While Impaired and you have an alcohol concentration of .15 or higher, if you qualify for a limited driving privilege you will not be eligible to drive for any reason until forty-five (45) days after you are convicted. Once forty-five (45) days have passed and you have proof of an Interlock Device installed in your vehicle we can petition the court for a limited driving privilege. A new DL123 is needed and the cost is \$100.00 payable to the Clerk of Superior Court.

8. If you are convicted of Driving While Impaired, you will have an additional restriction on your license for the next three (3) years of not having an alcohol concentration of .04 or higher. Testing .04 or more while driving during this three (3) year period may result in a driving while license revoked charge and/or a new Driving While Impaired Charge.

9. Every Level III, IV and V conviction will have to complete community service work as part of the suspended sentence or serve jail time. We always endeavor to obtain a Level V, however it is not always possible. A Level III must complete seventy-two (72) hours of community service or jail within ninety (90) days, a Level IV must complete forty-eight (48) hours of community service or jail within sixty (60) days and a Level V must complete twenty-four (24) hours of community service or jail within thirty (30) days. All Levels carry a cost of \$250.00 for the community service work. If you want to complete these hours before court there is a program available for the cost of \$200.00. If you wish to serve jail time in lieu of community service work, the cost is \$40.00 per day.

10. If you receive a new Driving While Impaired charge within seven (7) years from your date of conviction, you will not be eligible for driving privileges and you will be facing **mandatory** jail time. **The best practice is to NOT DRINK AND DRIVE.** However, if you find yourself in that predicament, politely refuse to answer **any** questions, politely refuse the field sobriety tests and politely refuse the alcosensor and intoximeter.

11. All legal fees are due and payable before the first trial date unless other arrangements are made with your attorney. Please bring at least \$500.00 cash with you to Court for fines, fees and costs.

<u>Assessing Agencies</u>		<u>Community Service Program</u>
Incentives, Inc.	Life Changes	Success Program
1026-C Hutton Lane	805 N. Main St. Ste 201	1207 Brentwood Street
High Point, NC 27262	High Point, NC 27261	High Point, NC 272560
336-841-1104	336-387-0393	336-883-1133
		*Prior To Court ONLY

<u>Interlock Device Agencies</u>		
Alcolock	Monitech	Smart Start
(919) 790-7799	1-800-521-4246	1-800-880-3394
Alcolocknorthcarolina.com		SmartStartNC.com