

SIXTH JUDICIAL DISTRICT GUIDELINES
OPERATING AFTER REVOCATION (343.44(1)(b))
Operating Commercial Vehicle While Ordered Out of Service (343.44(1)(c))
Operating While Disqualified (343.44(1)(d))
May 1, 2002 and Thereafter

OFFENSE	MINIMUM RANGE			MEDIUM RANGE			MAXIMUM RANGE		
	JAIL	FINE	TOTAL	JAIL	FINE	TOTAL	JAIL	FINE	TOTAL
1st Offense	5 days	\$150 + costs	\$271.00	10 days	\$200 + costs	\$333.00	30 days	\$250+ costs	\$395.00
2nd Offense	10 days	\$300 + costs	\$457.00	20 days	\$400 + costs	\$581.00	40 days	\$600 + costs	\$829.00
				Suspend operating privileges for 3 months			Suspend operating privileges for 6 months		
3rd Offense	20 days	\$400 + costs	\$581.00	30 days	\$600 + costs	\$829.00	90 days	\$800 + costs	\$1,077.00
	Suspend operating privileges for 3 months			Suspend operating privileges for 4 months			Revoke operating privileges for 6 months		
4th Offense	30 days	\$600 + costs	\$829.00	90 days	\$800 + costs	\$1,077.00	120 days	\$1,000 + costs	\$1,325.00
	Mandatory 6 month revocation			Mandatory 6 month revocation			Mandatory 6 month revocation		
5th Offense	90 days	\$800 + costs	\$1,077.00	6 months	\$1000 + costs	\$1,325.00	9 months	\$1500 + costs	\$1,950.00
	Mandatory 6 month revocation			Mandatory 6 month revocation			Mandatory 6 month revocation		

MINIMUM RANGE: Mitigating considerations prevail (i.e. accused was eligible for reinstatement or qualified for an occupational license; minimum traffic record in last 5 years; no operating while suspended conviction in last 5 years; reason for driving; other)

MEDIUM RANGE: Neutral between mitigating and aggravating circumstances

MAXIMUM RANGE: Aggravating considerations prevail (i.e. poor traffic record last 5 years; 3 or more convictions for operating after suspension in last 5 years; accident/injury; accompanied by OWI or OWI involving revocations; other)

343.30(1g)(a) - A court may suspend operating privileges for up to six months for any OAR conviction.

343.32(1g)(b) - A court shall revoke operating privileges for six months after three or more OAS 343.44(1)(a), OAR 343.44(1)(b) or operating while disqualified 343.44(1)(d) convictions, or combination thereof, within a five year period preceding the violation. The court may order a lesser period of revocation but must place reasons therefore on the record.

There are no provisions for suspension or revocation for a violation of 343.44(1)(c) (operating a commercial motor vehicle while ordered out of service under state or federal law).

*Above costs may vary depending on date of offense and legislative action