

UNDER THE INFLUENCE MANDATORY  
SENTENCING CHART

CHARGE and SENTENCING REFERENCE	OFFENSE	BASE FINE	80% SURCHARGE	\$10 PROBATION SURCHARGE AMOUNT	PRISON CONSTRUCTION ASSESSMENT	GENERAL FUND Xtra DUI ASSESSMENT	DUI ABATEMENT FEE	JAIL REIMBURSEMENT FEE A.R.S. 13-804.01	BASE JAIL/DOC TIME	JAIL TIME SUSPENDED UPON ALCDRUG SCREENING	NUMBER OF CONSECUTIVE DAYS IN JAIL	ALCOHOL/DRUG SCREENING	
		Per A.R.S. § 5-398.01, § 28-1389, and § 28-8292, fines, surcharges and assessments cannot be waived.											
<b>REFUSAL TO SUBMIT TO TEST(S)</b>													
<b>5-395.03</b>	<b>CIVIL PENALTIES ONLY - NO SURCHARGED ADDED TO CIVIL PENALTIES PER ARS 12-116.01 &amp; 12-116.02</b>												
Test for alc concentration/drug; refusal; civil pnltly	ALL	750	0	0	500		NONE	N/A	NONE	NONE	NONE	N/A	
<b>BOATING UNDER INFLUENCE</b>													
<b>5-395 (BUI) -- per 5-395.01</b>													
Op watercraft while intox: liq, drugs, vapor	First	250	200	10	500	500	NONE	YES	NONE	NONE	NONE	YES	
Op watercraft while intox: liq, drugs, vapor	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
Op watercraft while intox: liq, drugs, vapor	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Op watercraft while intox: liq, drugs, vapor	Fourth+	750	600	10	1500	1500	NONE	YES	24 MONTHS	4 MONTHS	8 MONTHS	YES	
<b>5-395A (BUI) -- per 5-395.01</b>													
Op watercraft while intox: liq, drugs, vapor	First	250	200	10	500	500	NONE	YES	NONE	NONE	NONE	YES	
Op watercraft while intox: liq, drugs, vapor	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
Op watercraft while intox: liq, drugs, vapor	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Op watercraft while intox: liq, drugs, vapor	Fourth+	750	600	10	1500	1500	NONE	YES	12 MONTHS	4 MONTHS	8 MONTHS	YES	
<b>5-395A2 (BUI) -- per 5-395.01</b>													
Op watercraft while intox: liq, drugs, vapor .08+	First	250	200	10	500	500	NONE	YES	NONE	NONE	NONE	YES	
Op watercraft while intox: liq, drugs, vapor .08+	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
Op watercraft while intox: liq, drugs, vapor .08+	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Op watercraft while intox: liq, drugs, vapor .08+	Fourth+	750	600	10	1500	1500	NONE	YES	12 MONTHS	4 MONTHS	8 MONTHS	YES	
<b>5-395A3 (BUI) -- per 5-395.01</b>													
Op watercraft while intox: drugs listed in 13-3401	First	250	200	10	500	500	NONE	YES	NONE	NONE	NONE	YES	
Op watercraft while intox: drugs listed in 13-3401	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
Op watercraft while intox: drugs listed in 13-3401	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Op watercraft while intox: drugs listed in 13-3401	Fourth+	750	600	10	1500	1500	NONE	YES	12 MONTHS	4 MONTHS	8 MONTHS	YES	
<b>5-395A4 (BUI) -- per 5-395.01</b>													
Commercial op of watercraft; BAC .04 or +	First	250	200	10	500	500	NONE	YES	NONE	NONE	NONE	YES	
Commercial op of watercraft; BAC .04 or +	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	

UNDER THE INFLUENCE MANDATORY  
SENTENCING CHART

CHARGE and SENTENCING REFERENCE	OFFENSE	BASE FINE	80% SURCHARGE	\$10 PROBATION SURCHARGE AMOUNT	PRISON CONSTRUCTION ASSESSMENT	GENERAL FUND Xtra DUI ASSESSMENT	DUI ABATEMENT FEE	JAIL REIMBURSEMENT FEE A.R.S. 13-804.01	BASE JAIL/DOC TIME	JAIL TIME SUSPENDED UPON ALCDRUG SCREENING	NUMBER OF CONSECUTIVE DAYS IN JAIL	ALCOHOL/DRUG SCREENING	
		Per A.R.S. § 5-398.01, § 28-1389, and § 28-8292, fines, surcharges and assessments <b>cannot</b> be waived.											
Commercial op of watercraft; BAC .04 or +	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Commercial op of watercraft; BAC .04 or +	Fourth+	750	600	10	1500	1500	NONE	YES	12 MONTHS	4 MONTHS	8 MONTHS	YES	
<b>5-395J (BUI) -- per 5-395</b>													
Fail comply with law enforce request for testing	First	250	200	10	500	500	NONE	YES	NONE	NONE	NONE	YES	
Fail comply with law enforce request for testing	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
Fail comply with law enforce request for testing	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Fail comply with law enforce request for testing	Fourth+	750	600	10	1500	1500	NONE	YES	24 MONTHS	4 MONTHS	8 MONTHS	YES	
<b>5-396 (BUI) -- per 5-396</b>													
Op watercraft <b>aggravated</b>	First	750	600	10	1500	1500	NONE	YES	12 MONTHS	NONE	4 MONTHS	YES	
Op watercraft <b>aggr</b> 2 or more priors within 60 mo		750	600	10	1500	1500	NONE	YES	24 MONTHS	NONE	8 MONTHS	YES	
<b>5-396A (BUI) -- per 5-396</b>													
Op watercraft <b>aggravated</b>	First	750	600	10	1500	1500	NONE	YES	12 MONTHS	NONE	8 MONTHS	YES	
Op watercraft <b>aggr</b> 2 or more priors within 60 mo		750	600	10	1500	1500	NONE	YES	12 MONTHS	NONE	12 MONTHS	YES	
<b>5-397 (BUI) -- per 5-397</b>													
Op watercraft <b>extreme</b> 0.15 BAC	First	250	200	10	1000	1000	NONE	YES	30 DAYS	20 DAYS	10 DAYS	YES	
Op watercraft <b>extreme</b> 0.15 BAC	Second	500	400	10	1250	1250	NONE	YES	120 DAYS	60 DAYS	60 DAYS	YES	
Op watercraft <b>extreme</b> 0.15 BAC	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	NONE	4 MONTHS	YES	
Op watercraft <b>extreme</b> 0.15 BAC	Fourth+	750	600	10	1500	1500	NONE	YES	12 MONTHS	NONE	8 MONTHS	YES	
<b>5-397A (BUI) -- per 5-397</b>													
Op watercraft <b>extreme</b> 0.15 BAC	First	250	200	10	1000	1000	NONE	YES	30 DAYS	20 DAYS	10 DAYS	YES	
Op watercraft <b>extreme</b> 0.15 BAC	Second	500	400	10	1250	1250	NONE	YES	120 DAYS	3 MONTHS	1 MONTH	YES	
Op watercraft <b>extreme</b> 0.15 BAC	Third	750	600	10	1500	1500	NONE	YES	12 MONTHS	8 MONTHS	4 MONTHS	YES	
Op watercraft <b>extreme</b> 0.15 BAC	Fourth+	750	600	10	1500	1500	NONE	YES	12 MONTHS	4 MONTHS	8 MONTHS	YES	

**UNDER THE INFLUENCE MANDATORY  
SENTENCING CHART**

CHARGE and SENTENCING REFERENCE	OFFENSE	BASE FINE	80% SURCHARGE	\$10 PROBATION SURCHARGE AMOUNT	PRISON CONSTRUCTION ASSESSMENT	GENERAL FUND Xtra DUI ASSESSMENT	DUI ABATEMENT FEE	JAIL REIMBURSEMENT FEE A.R.S. 13-804.01	BASE JAIL/DOC TIME	JAIL TIME SUSPENDED UPON ALCDRUG SCREENING	NUMBER OF CONSECUTIVE DAYS IN JAIL	ALCOHOL/DRUG SCREENING	
		Per A.R.S. § 5-398.01, § 28-1389, and § 28-8292, fines, surcharges and assessments <b>cannot</b> be waived.											
<b>DRIVING UNDER INFLUENCE</b>													
<b>28-1381A1 (DUI) -- per 28-1381</b>													
DUI Liquor/drugs/vapors	First	250	200	10	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Liquor/drugs/vapors	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
<b>28-1381A2 (DUI) -- per 28-1381</b>													
DUI Liquor BAC .08 or more	First	250	200	10	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Liquor BAC .08 or more	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
<b>28-1381A3 (DUI) -- per 28-1381</b>													
DUI Drug listed in 13-3401 or metabolite	First	250	200	10	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Drug listed in 13-3401 or metabolite	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
<b>28-1381A4 (DUI) -- per 28-1381</b>													
DUI Commercial vehicle driver BAC .04 +	First	250	200	10	500	500	NONE	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Commercial vehicle driver BAC .04 +	Second	500	400	10	1250	1250	NONE	YES	90 DAYS	60 DAYS	30 DAYS	YES	
<b>28-1382A (DUI) -- per 28-1382</b>													
DUI Extreme BAC .15 or more	First	250	200	10	1000	1000	250	YES	30 DAYS	20 DAYS	10 DAYS	YES	
DUI Extreme BAC .15 or more	Second	500	400	10	1250	1250	250	YES	120 DAYS	60 DAYS	60 DAYS	YES	
<b>28-1383A1 (DUI) -- per 28-1383</b>													
DUI Aggrav w/driver license restriction	First	750	600	10	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	
<b>28-1383A2 (DUI) -- per 28-1383</b>													
DUI Aggrav with priors	First	750	600	10	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	
DUI Aggrav w/3 or more priors in 60 months		than 13-801A	80 percent of fine	10	1500	1500	250	YES	8 MONTHS	NONE	8 MONTHS	YES	
<b>28-1383A3A (DUI) -- per 28-1383</b>													
DUI Aggrav child under 15 in car Ref 28-1381	First	750	600	10	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Aggrav child under 15 in car Ref 28-1381(1)	Second	750	600	10	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	
DUI Aggrav child under 15 in car Ref 28-1381	Third+	750	600	10	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	
<b>28-1383A3B (DUI) -- per 28-1383</b>													
DUI Aggrav child under 15 in car Ref 28-1382	First	750	600	10	1500	1500	250	YES	30 DAYS	20 DAYS	10 DAYS	YES	
DUI Aggrav child under 15 in car Ref 28-1382D	Second	750	600	10	1500	1500	250	YES	120 DAYS	60 DAYS	60 DAYS	YES	
DUI Aggrav child under 15 in car Ref 28-1382	Third+	750	600	10	1500	1500	250	YES	4 MONTHS	NONE	4 MONTHS	YES	
<b>28-1383A4A (DUI) -- per 28-1383</b>													
DUI Aggrav w/CIID Refuse Test per 28-1321	First	750	600	10	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Aggrav w/CIID Refuse Test per 28-1321	Second	750	600	10	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	
<b>28-1383A4B (DUI) -- per 28-1383</b>													
DUI Aggrav w/CIID violate 28-1381 or 1382	First	750	600	10	1500	1500	250	YES	10 DAYS	9 DAYS	24 HOURS	YES	
DUI Aggrav w/CIID violate 28-1381 or 1382	Second	750	600	10	1500	1500	250	YES	90 DAYS	60 DAYS	30 DAYS	YES	

**UNDER THE INFLUENCE MANDATORY  
SENTENCING CHART**

CHARGE and SENTENCING REFERENCE	OFFENSE	BASE FINE	80% SURCHARGE	\$10 PROBATION SURCHARGE AMOUNT	PRISON CONSTRUCTION ASSESSMENT	GENERAL FUND Xtra DUI ASSESSMENT	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
Per A.R.S. § 5-398.01, § 28-1389, and § 28-8292, fines, surcharges and assessments <b>cannot</b> be waived.												
<b>FLYING UNDER INFLUENCE (see individual sentencing reference for each occurrence)</b>												
<b>28-8282A1 (FUI)</b>												
Op aircrft FUI liq/drugs/narco Ref 28-8284 (1st)	First	250	200	10	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES
Op aircrft FUI liq/drugs/narco Ref 28-8286 Alt	Alternative	250	200	10	500	500	NONE	NO	NONE	NONE	NONE	YES
Op aircrft FUI liq/drugs/narco Ref28-8287 (2nd)	Second	500	400	10	1250	1250	NONE	YES	60 DAYS	NONE	--	YES
Op aircrft FUI liq/drugs/narco Ref 28-8288 (3rd)	Third+	750	600	10	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES
<b>28-8282A2 (FUI)</b>												
Op aircraft w/phys/mental disability Ref 28-8284	First	250	200	10	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES
Op aircrft w/phys/mentl disabil-Alt Ref 28-8286	Alternative	250	200	10	500	500	NONE	NO	NONE	NONE	NONE	YES
Op aircrft with phys/mental disability Ref 28-8287	Second	500	400	10	1250	1250	NONE	YES	60 DAYS	NONE	--	YES
Op aircrft with phys/mental disability Ref 28-8288	Third+	750	600	10	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES
<b>28-8282C1 (FUI)</b>												
Op aircraft FUI liq/drugs .04+ Ref 28-8284	First	250	200	10	500	500	NONE	NO	24 HOURS	NONE	24 HOURS	YES
Op aircrft FUI liq/drugs .04+ Altrn Ref 28-8486	Alternative	250	200	10	500	500	NONE	NO	NONE	NONE	NONE	YES
Op aircraft FUI liquor/drugs .04+ Ref 28-8287	Second	500	400	10	1250	1250	NONE	NO	60 DAYS	NONE	--	YES
Operate aircraft FUI liquor/drugs .04+ Ref 28-8288	Third+	750	600	10	1500	1250	NONE	NO	6 MONTHS	NONE	--	YES
<b>28-8282C2 (FUI)</b>												
Op aircraft w/in 8 hrs of being intox Ref 28-8284	First	250	200	10	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES
Op aircrft w/in 8 hrs of being intox Alt Ref 28-8286	Alternative	250	200	10	500	500	NONE	NO	NONE	NONE	NONE	YES
Op aircraft w/in 8 hrs of being intox Ref 28-8287	Second	500	400	10	1250	1250	NONE	YES	60 DAYS	NONE	--	YES
Op aircraft w/in 8 hrs of being intox Ref 28-8288	Third+	750	600	10	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES
<b>28-8282D (FUI)</b>												
Owner/mgr allows intox person to fly Ref 28-8284	First	250	200	10	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES
Ownr/mgr allows intox prsn to fly Alt Ref 28-8286	Alternative	250	200	10	500	500	NONE	NO	NONE	NONE	NONE	YES
Owner/mgr allows intox person to fly Ref 28-8287	Second	500	400	10	1250	1250	NONE	YES	60 DAYS	NONE	--	YES
Ownr/mgr allows intox person to fly Ref 28-8288	Third+	750	600	10	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES
<b>28-8284 (FUI)</b>												
For 1st violation of 28-8282 et seq	First	250	200	10	500	500	NONE	YES	24 HOURS	NONE	24 HOURS	YES
<b>28-8286 (FUI)</b>												
Alternative sentence for 1st viol 28-8282 et seq	Alternative	250	200	10	500	500	NONE	NO	NONE	NONE	NONE	YES
<b>28-8287 (FUI)</b>												
For 2nd violation of 28-8282 et seq	Second	500	400	10	1250	1250	NONE	YES	60 DAYS	NONE	--	YES
<b>28-8288 (FUI)</b>												
For 3rd or more violations of 28-8282 et seq	Third+	750	600	10	1500	1500	NONE	YES	6 MONTHS	NONE	--	YES