

**NOTICE OF ENHANCED PENALTIES**

Listed below are the penalties for subsequent convictions for Driving Under the Influence (DUI) and DUI-Related Convictions:

**2nd Offense** for a DUI-Related Conviction - Class A Misdemeanor

Up to 11 months 29 days with mandatory minimum service of 45 days, day for day  
\$600 to \$3,500 fine. (\$715.00 in Hamilton County)  
Driving privilege revoked for 2 years  
DUI school and/or attendance at a victim's impact panel program, and alcohol/drug assessment/treatment

**3rd Offense** for a DUI-Related Conviction - Class A Misdemeanor

Up to 11 months 29 days with mandatory minimum service of 120 days, day for day  
\$1,100 to \$10,000 fine (\$1,215.00 in Hamilton County)  
Driving privilege revoked for 6 years  
DUI school and/or attendance at a victim's impact panel program, and alcohol/drug assessment/treatment

**4th Offense** for a DUI-Related Conviction - Class E Felony (1-6 years)

Up to 6 years, depending on number of prior felony convictions (range) with mandatory minimum service of 150 days, day for day  
\$3,000 to \$15,000 fine (\$3,115.00 in Hamilton County)  
Driving privilege revoked for 8 years  
DUI school and/or attendance at a victim's impact panel program, and alcohol/drug assessment/treatment

**5th Offense** for a DUI-Related Conviction - Class D Felony (2-12 years)

Up to 12 years, depending on range, with mandatory minimum service of 150 days, day for day  
Same fine, drivers' license revocation, and additional requirements as above for 4th Offense.

**6th Offense** for a DUI-Related Conviction - Class C Felony (3-15 years)

Up to 15 years, depending on range, with mandatory minimum service of 150 days, day for day  
Same fine, drivers' license revocation, and additional requirements as above for 4th Offense.

**7th or Subsequent Offense** for a DUI-Related Conviction - Class C Felony **served at 100%** (with only 15% good time credit possible)

3 to 15 years, depending on range, to be served at 100%, with only 15% good time credit possible  
Same fine, drivers' license revocation, and additional requirements as above for 4th Offense.

- A "DUI-Related Conviction" includes prior convictions for DUI, Boating Under the Influence, Vehicular Assault, Aggravated Vehicular Assault, Vehicular Homicide by Intoxication, and Aggravated Vehicular Homicide, including both prior Tennessee and out-of-state convictions.
- **Firearms Consequences:** A person commits a criminal offense who carries, with the intent to go armed, a firearm and has been convicted of the offense of driving under the influence of an intoxicant in this or any other state two (2) or more times within the prior ten (10) years or one (1) time within the prior five (5) years.

**When vehicular assault and/or vehicular homicide by intoxication are charged**

- **Aggravated** vehicular assault will be charged instead of vehicular assault if the defendant has two prior DUI-related convictions, or one prior DUI-related conviction and a BAC of .20 or higher.
- **Aggravated** vehicular homicide by intoxication will be charged instead of vehicular homicide by intoxication if the defendant has two prior DUI-related convictions, or one prior DUI-related conviction and a BAC of .20 or higher.
- The reach-back period for both crimes is 20 years.

**Please Note**

1. The minimum sentence cannot be suspended, and it must be served day for day.
2. The minimum fine must be imposed, and it cannot be waived.

I, \_\_\_\_\_, acknowledge receipt of the Notice of Penalties.  
(Print Name)

Date \_\_\_\_\_ Defendant \_\_\_\_\_  
(Signature)