



**State:**

Missouri

**Statute/Law:**

Section 577.010: *Driving while intoxicated.*

**Per Se Law?:**

No

**Statute/Law Language:**

1. A person commits the crime of "driving while intoxicated" if he operates a motor vehicle while in an intoxicated or drugged condition.

**Penalties Following Conviction:**

For 1st offense - Not more than 6 months (no mandatory) imprisonment, not more than \$500 (no mandatory) fine;

For 2nd offense within 5 years [prior offender]: Not more than 1 year (5 days mandatory)/ 30 days community service, not more than \$1000 fine;

For 3rd or subsequent offense (Persistent Offender –Class D felony): Not more than 5 years (10 days mandatory)/60 days community service, not more than \$5000, for 4th offense [Aggravated offender – Class C felony] not more than 7 years imprisonment (60 days mandatory), not more than \$5000 fine;

For 5th and subsequent offense [Chronic Offender-Class B felony]: Up to 15 years imprisonment (2 year mandatory minimum).

**Discretionary Court-Ordered Penalties:**

Substance abuse traffic offender program; a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program; The court may order at least 10 days community service in lieu of imprisonment for repeat offenders, restitution directly to a victim or to a victim's compensation fund, and for 1st offenders, the court may suspend a sentence provided the defendant is placed on probation for at least 2 years. The court may also require a defendant to reimburse the state or local governments for the costs associated with the person's arrest.





**For more information:**

<http://www.moga.mo.gov/mostatutes/stathtml/57700000101.html>

*Current as of August 2016*

