



**State:**

Nebraska

**Statute/Law:**

60-6,196: *Driving under influence of alcoholic liquor or drug.*

**Per Se Law?:**

No

**Statute/Law Language:**

1) It shall be unlawful for any person to operate or be in the actual physical control of any motor vehicle:

(a) While under the influence of alcoholic liquor or of any drug;

(b) When such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood; or

(c) When such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his or her breath.

(2) Any person who operates or is in the actual physical control of any motor vehicle while in a condition described in subsection (1) of this section shall be guilty of a crime.

**Penalties Following Conviction:**

First offense: 6 month impoundment with no driving or, Revoked for 6 months -30 days no driving with interlock permit allowed for remainder of the period. Also, 7 to 60 days, imprisonment and fine of \$400-\$500.

Second offense: One year revocation (Class W misdemeanor – 30 days to 6 months imprisonment and fine of \$500).

Third offense: Revoked 2 to 15 years; may order interlock permit; 30 days jail; \$600 fine. Fourth offense: Revoked 15 years; 180 days jail; (Class III A felony – Max: 5 years imprisonment and/or \$10,000 fine- no minimum).

*(For more detailed penalties, see Nebraska statute 60-6,197.03).*





**Discretionary Court-Ordered Penalties:**

Inter-lock permit, impoundments, and license revocation.

**For more information:**

<http://nebraskalegislature.gov/laws/statutes.php?statute=60-6,196&print=true>

*Current as of August 2016*