IDAHO · DUI CHECKLIST

Idaho DUI Checklist

What to do today, this week, and before your court date. Print it. Check things off. One step at a time.

YOUR FIRST DEADLINE

7 days to act on your Administrative License Suspension (ALS)

7 calendar days from the date of service of the notice of suspension (usually the arrest date), for a suspension after a failed test. The written request must be received by ITD, not just mailed, within that time, and must say what issues you will raise. If you miss it, the right to contest is waived. The suspension takes effect 30 days after service. A refusal is different: the 7-day request for a hearing goes to the court, not ITD. The statute text on the Legislature's site, which is updated each July 1, still says 7 calendar days. A 2026 bill (House Bill 552) proposed changing this to 7 business days, but its last recorded action is a return to committee on February 9, 2026, and it was not enacted. Email ALSPublic@itd.idaho.gov or mail ITD Driver Services, PO Box 7129, Boise, ID 83707-1129.

Who: Idaho Transportation Department, Division of Motor Vehicles (Driver Services)

KEY FACTS

SUSPENSION, 1ST FAILED TEST

90 days; the first 30 are absolute, then restricted driving may be requested

SUSPENSION, 1ST REFUSAL

1 year with no driving privileges, plus a $250 civil penalty

1ST OFFENSE CHARGE

Misdemeanor

1ST OFFENSE FINE

Up to $1,000 (0.20 or more: up to $2,000)

1ST OFFENSE JAIL

Up to 6 months (0.20 or more: 10 days to 1 year)

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

On a first DUI, the court must require an interlock for 1 year after the suspension ends, unless it grants an exception. It is also required after a second or later DUI, after a refusal, and, according to ITD, after any ALS suspension unless the court waives it.

1 First 24 Hours

- [ ] **Administrative License Suspension (ALS): act within 7 days. 7 calendar days from the date of service of the notice of suspension (usually the arrest date), for a suspension after a failed test. The written request must be received by ITD, not just mailed, within that time, and must say what issues you will raise. If you miss it, the right to contest is waived. The suspension takes effect 30 days after service. A refusal is different: the 7-day request for a hearing goes to the court, not ITD. The statute text on the Legislature's site, which is updated each July 1, still says 7 calendar days. A 2026 bill (House Bill 552) proposed changing this to 7 business days, but its last recorded action is a return to committee on February 9, 2026, and it was not enacted. Email ALSPublic@itd.idaho.gov or mail ITD Driver Services, PO Box 7129, Boise, ID 83707-1129.**
- [ ] Read your Notice of Suspension — The officer serves it at arrest. Note the Date of Service on the front. Your 7 days run from that date.
- [ ] Request the ALS hearing within 7 days — Send a written request to ITD by email (ALSPublic@itd.idaho.gov) or mail. It must be received within 7 days. Include your name, license number, phone, and the issues you will raise.
- [ ] Plan for 30 days of no driving — A first test failure means a 90-day suspension. The first 30 days are absolute. After that you can ask for a restricted permit.
- [ ] If you refused, know what is at stake — A refusal means a 1-year suspension and a civil penalty. You can request a hearing to show cause why you refused.
- [ ] Talk to a lawyer about the criminal case — Prior DUIs within 10 years make a third a felony. A BAC of 0.20 or more is a separate, harsher charge.

2 Court

- [ ] Arrest and complaint — A misdemeanor DUI is charged by complaint and assigned to a magistrate judge. If you are held in custody, arraignment happens within 24 hours, not counting weekends and court holidays.
- [ ] Arraignment — The judge reads the complaint, explains the maximum penalties and your rights, and takes your plea.
- [ ] Pretrial conference — After a not guilty plea, the court sets a pretrial conference and a jury trial date. The prosecutor and your lawyer meet with the judge to see if a plea agreement can be reached.
- [ ] Alcohol evaluation before sentencing — If you plead or are found guilty, you must get an alcohol evaluation from a provider approved by the Department of Health and Welfare before the sentencing date.
- [ ] Sentencing — The judge considers the evaluation. If it recommends treatment, the court orders it along with jail, fines, and the license suspension.

3 Getting Your License Back

- [ ] Alcohol evaluation by a DHW-approved substance use disorder provider, plus any recommended treatment: Anyone who pleads or is found guilty of DUI must get an alcohol evaluation before sentencing. The court can waive it on a first DUI if it already has a recent assessment from the last 12 months. If the evaluation recommends treatment, the court orders it unless treatment would be inappropriate.
- [ ] Ignition interlock: On a first DUI, the court must require an interlock for 1 year after the suspension ends, unless it grants an exception. It is also required after a second or later DUI, after a refusal, and, according to ITD, after any ALS suspension unless the court waives it.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Restricted driving permit (restricted noncommercial driving privileges): For the ALS suspension, send ITD Form 3227, Application for Restricted Driving Permit. For a court-ordered suspension, ask the court in your DUI case.

Your full Idaho DUI guide

Deadlines, penalties, the court process, license hearings, and FAQs, with links to the official sources.

https://dui911.org/idaho

Official source for your license deadline: https://itd.idaho.gov/guide/driver-records-and-suspensions/

This checklist is educational and is not legal advice. Laws, deadlines and fees change; confirm them with the agency or a licensed Idaho attorney before you rely on them. DUI911.org is not a law firm and is not affiliated with any law firm, interlock company or insurer.