INDIANA · OWI CHECKLIST

Indiana OWI Checklist

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

YOUR LICENSE CASE

Implied Consent / Probable Cause Suspension (BMV, on court finding)

Indiana has no BMV hearing to request after an OWI arrest. At the initial hearing, a judge's probable cause finding triggers the suspension (IC 9-30-6-8). You can petition the court for a prompt judicial review, limited to probable cause and whether you refused (IC 9-30-6-10); no filing deadline is set. If you tell the court at the initial hearing that you will seek specialized driving privileges, the court stays the suspension, but you must file the petition within 10 days or the stay is lifted (IC 9-30-16-1(g)).

Who: Indiana Bureau of Motor Vehicles (BMV), acting on court orders

KEY FACTS

SUSPENSION, 1ST FAILED TEST

180 days or until the criminal case is resolved, whichever comes first

SUSPENSION, 1ST REFUSAL

1 year (2 years with a prior OWI conviction)

1ST OFFENSE CHARGE

Class C misdemeanor (Class A if BAC 0.15 or higher, or if a person was endangered)

1ST OFFENSE FINE

Up to $500 (Class C); up to $5,000 (Class A)

1ST OFFENSE JAIL

Up to 60 days (Class C); up to 1 year (Class A)

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 7 years count

IGNITION INTERLOCK

Not automatic. A court may require an ignition interlock as a condition of specialized driving privileges or probation. For a BAC-based charge, the court may also order an interlock instead of the pretrial suspension (IC 9-30-6-8(d)). From July 1, 2026, interlocks may be ordered only when the OWI involved alcohol.

1 First 24 Hours

- [ ] **Implied Consent / Probable Cause Suspension (BMV, on court finding): Indiana has no BMV hearing to request after an OWI arrest. At the initial hearing, a judge's probable cause finding triggers the suspension (IC 9-30-6-8). You can petition the court for a prompt judicial review, limited to probable cause and whether you refused (IC 9-30-6-10); no filing deadline is set. If you tell the court at the initial hearing that you will seek specialized driving privileges, the court stays the suspension, but you must file the petition within 10 days or the stay is lifted (IC 9-30-16-1(g)).**
- [ ] Note your initial hearing date — In Indiana the judge decides probable cause, usually at the initial hearing, and that finding drives the BMV suspension. Don't miss it.
- [ ] Know whether you refused or failed — A refusal brings a 1-year BMV suspension (2 years with a prior OWI). A failed test brings a suspension of 180 days or until the case is resolved, whichever is first.
- [ ] Ask about specialized driving privileges — If you tell the judge at the initial hearing that you will seek specialized driving privileges, the suspension is put on hold, but you must file the petition within 10 days. They are not available after a refusal. The court may require an ignition interlock.
- [ ] Check for a prior OWI in the last 7 years — A prior conviction within 7 years can make this a Level 6 felony. Get a copy of your BMV driving record.
- [ ] Write down what happened and talk to a lawyer — Record where you were stopped, what you drank and when, and what tests you were asked to take. Talk to a lawyer before the initial hearing if you can.

2 Court

- [ ] Arrest and charging — The prosecutor files the OWI charge, usually with a probable cause affidavit from the officer.
- [ ] Initial hearing — The judge explains the charge and your rights and decides whether there was probable cause for the arrest. A probable cause finding leads to an immediate license suspension, unless the court orders an ignition interlock instead or stays the suspension while you seek specialized driving privileges.
- [ ] Pretrial and discovery — Your lawyer gets the reports, test results, and video. Pretrial diversion is not available for OWI.
- [ ] Plea or trial — Most cases end in a plea agreement or a trial. A prior OWI conviction within 7 years can raise the charge to a Level 6 felony.
- [ ] Sentencing — The court sets jail or community service, fines, probation, and the license suspension. It can order an alcohol and drug program and grant specialized driving privileges.

3 Getting Your License Back

- [ ] Court Alcohol and Drug Program (IOCS-certified): Not a statewide reinstatement requirement. Courts commonly order a limited assessment and an alcohol and drug education course (8–20 hours) or treatment as a condition of probation or sentencing.

- [ ] Ignition interlock: Not automatic. A court may require an ignition interlock as a condition of specialized driving privileges or probation. For a BAC-based charge, the court may also order an interlock instead of the pretrial suspension (IC 9-30-6-8(d)). From July 1, 2026, interlocks may be ordered only when the OWI involved alcohol.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Specialized driving privileges (SDP): Ask the court handling your OWI case, or file a verified petition under IC 9-30-16 in a circuit or superior court in the county where you live. Serve it on the BMV and the prosecuting attorney.

Your full Indiana OWI guide

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

https://dui911.org/indiana

Official source for your license deadline:
https://www.in.gov/bmv/licenses-permits-ids/suspension-and-reinstatement/common-traffic-violations

This checklist is educational and is not legal advice. Laws, deadlines and fees change; confirm them with the agency or a licensed Indiana 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.