LOUISIANA · DWI CHECKLIST

Louisiana DWI 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

30 days to act on your OMV administrative suspension (license seizure and administrative hearing)

30 days from the date of arrest, not from a later notice. The request must be in writing to the Department of Public Safety and Corrections (Office of Motor Vehicles). If you couldn't request in time because you were jailed or hospitalized, you can send proof and request up to 90 days from the arrest. Hearings are held by the Division of Administrative Law.

Who: Louisiana Department of Public Safety and Corrections, Office of Motor Vehicles (OMV); hearings held by the Division of Administrative Law

KEY FACTS

SUSPENSION, 1ST FAILED TEST

180 days for a first test result of 0.08 or more (0.02 or more if under 21); 2 years at 0.15 or more; 365 days for a second offense within 5 years (4 years at 0.15 or more)

SUSPENSION, 1ST REFUSAL

1 year; 2 years for a second refusal within 10 years

1ST OFFENSE CHARGE

Misdemeanor

1ST OFFENSE FINE

$300 to $1,000 ($750 to $1,000 at 0.20 or more)

1ST OFFENSE JAIL

10 days to 6 months (at least 48 hours served at 0.15 or more)

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

Required on a first offense at 0.15 or more. After a refusal, OMV requires an interlock on reinstatement or with a hardship license when the arrest involved a crash with moderate or serious injury, a child 12 or younger in the vehicle, or a prior alcohol violation on your record.

1 First 24 Hours

- [ ] **OMV administrative suspension (license seizure and administrative hearing): act within 30 days. 30 days from the date of arrest, not from a later notice. The request must be in writing to the Department of Public Safety and Corrections (Office of Motor Vehicles). If you couldn't request in time because you were jailed or hospitalized, you can send proof and request up to 90 days from the arrest. Hearings are held by the Division of Administrative Law.**
- [ ] Keep your temporary receipt — The officer seized your license and gave you a temporary receipt. It lets you drive for up to 30 days from the arrest date. It also starts the hearing clock.
- [ ] Request the OMV hearing within 30 days of arrest — Send a written request to the Department of Public Safety and Corrections (Office of Motor Vehicles). Without it, your suspension starts when the 30 days run out. Once OMV receives a request, it extends your temporary license until the case is decided.
- [ ] Note your court date and parish — The criminal case runs separately in the parish where you were arrested. Your bond paperwork or citation lists the court and first appearance date.
- [ ] Write down what happened — Where you were stopped, what you drank and when, the tests you were offered, and whether you took or refused the chemical test. Memory fades fast.
- [ ] Talk to a lawyer before the hearing — The administrative hearing and the criminal case have different rules. A lawyer can explain how a refusal, a high BAC, or a prior DWI in the last 10 years changes your options.

2 Court

- [ ] Arrest and bond — You are booked and released on bond or a summons. Your paperwork lists the court and first appearance date. The OMV suspension runs separately.
- [ ] Arraignment — You appear, hear the R.S. 14:98 charge, and enter a plea.
- [ ] Pretrial — Your lawyer reviews the evidence and talks with the prosecutor. Motions and plea offers happen here.
- [ ] Plea or trial — The case ends with a plea, a dismissal, or a trial.
- [ ] Sentencing and probation — A first offense carries 10 days to 6 months and $300 to $1,000. Jail can be suspended only with probation: 48 hours in jail or 32 hours of community service, a substance abuse program, a driver improvement program, and no driving without an interlock for at least 6 months.
- [ ] Article 894 set-aside — If the court deferred your sentence and you complete it with no new offense, it may set the conviction aside. For DWI this is allowed once in 10 years, and the court needs a certified OMV letter first.

3 Getting Your License Back

- [ ] Court-approved substance abuse program and driver improvement program: On a first offense, any suspended sentence requires probation that includes a court-approved substance abuse program, with a screening for substance use disorder, and a court-approved driver improvement program.

- [ ] Ignition interlock: Required on a first offense at 0.15 or more. After a refusal, OMV requires an interlock on reinstatement or with a hardship license when the arrest involved a crash with moderate or serious injury, a child 12 or younger in the vehicle, or a prior alcohol violation on your record.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Hardship license (restricted license with ignition interlock): Install a functioning interlock and give proof to the Office of Motor Vehicles (Department of Public Safety and Corrections).

Your full Louisiana DWI guide

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

https://dui911.org/louisiana

Official source for your license deadline: https://expresslane.la.gov/omv/drivers/driver-reinstatement/suspensions/

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