MAINE · OUI CHECKLIST

Maine OUI 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

10 days to act on your Administrative suspension hearing (Secretary of State, BMV)

10 days from the effective date of the suspension. The written request goes to the BMV Hearings Section in Augusta. For a suspension based on a test of 0.08 or more, a request received in time stays the suspension until a decision (§2453(5)). A request does not stay a test-refusal suspension (§2483(4)). A late request can be granted only for lack of actual notice or physical incapacity, and then without a stay.

Who: Maine Secretary of State, Bureau of Motor Vehicles, Division of Legal Affairs, Adjudications & Hearings

KEY FACTS

SUSPENSION, 1ST FAILED TEST

150 days (0.08 or more). Can drop to 30 days with an ignition interlock

SUSPENSION, 1ST REFUSAL

275 days

1ST OFFENSE CHARGE

Class D crime

1ST OFFENSE FINE

$500 to $2,000 ($600 minimum if you refused the test)

1ST OFFENSE JAIL

Class D maximum: less than 1 year. At least 48 hours with an aggravating factor (0.15 or more, 30 mph or more over the limit, eluding, or a passenger under 21). At least 96 hours if you refused the test. Otherwise no minimum jail

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

Interlock is the path to early reinstatement after an OUI conviction or a 0.08 administrative suspension. You petition the Secretary of State and get written approval before installing the device ($50 application fee). §2508 does not list test-refusal suspensions or OUI causing death.

1 First 24 Hours

- [ ] **Administrative suspension hearing (Secretary of State, BMV): act within 10 days. 10 days from the effective date of the suspension. The written request goes to the BMV Hearings Section in Augusta. For a suspension based on a test of 0.08 or more, a request received in time stays the suspension until a decision (§2453(5)). A request does not stay a test-refusal suspension (§2483(4)). A late request can be granted only for lack of actual notice or physical incapacity, and then without a stay.**
- [ ] Read your notice of suspension — Find the effective date of the suspension. Your 10-day window to request a BMV hearing runs from that date.
- [ ] Request a BMV hearing in writing within 10 days — Send it to the Hearings Section of the BMV Division of Legal Affairs, Adjudications & Hearings in Augusta. For a 0.08 or higher test, a request received in time stays the suspension until a decision. It does not stay a refusal suspension.
- [ ] Note any aggravating factors — A test of 0.15 or more, 30 mph over the limit, eluding, or a passenger under 21 means at least 48 hours in jail on a first OUI. A test refusal means at least 96 hours.
- [ ] Check your record for the last 10 years — One prior OUI in 10 years means a 3-year suspension and at least 7 days in jail. Two priors make it a Class C crime.
- [ ] Ask about interlock reinstatement — First offenders can apply to drive with an interlock after 30 days. You need written approval from the Secretary of State first.
- [ ] Talk to a lawyer before your court date — The BMV hearing and the criminal case run separately. Winning one does not end the other.

2 Court

- [ ] Arrest or summons — OUI is a Class D crime for a first offense. The BMV suspension runs separately.
- [ ] Arraignment — The charge is read and you enter a plea. With a lawyer, you may be able to plead in writing unless the court requires you to appear.
- [ ] Ask for a jury trial in writing — For a Class D or E charge, you must file a written jury trial request. The deadline is short, so ask for the form at arraignment.
- [ ] Dispositional conference — A judge meets with the prosecutor and your lawyer to try to resolve the case.
- [ ] Motions and trial — Unresolved cases get a motion day, then a trial date.
- [ ] Sentencing — The court imposes the OUI minimums. Before your license comes back, you must also finish a DEEP program.

3 Getting Your License Back

- [ ] Driver Education and Evaluation Programs (DEEP): Everyone with a Maine OUI, including administrative suspensions and court convictions, must complete a DEEP program before driving privileges are restored. Adults take the 20-hour Risk Reduction Program; drivers under 21 take a 16-hour program. A treatment option also exists. Register by calling DEEP at (207) 626-8600.

- [ ] Ignition interlock: Interlock is the path to early reinstatement after an OUI conviction or a 0.08 administrative suspension. You petition the Secretary of State and get written approval before installing the device ($50 application fee). §2508 does not list test-refusal suspensions or OUI causing death.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Early reinstatement with an ignition interlock: Mail the ignition interlock petition to the BMV OUI/HO Section. Questions: 207-624-9000, ext. 52104.

Your full Maine OUI guide

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

https://dui911.org/maine

Official source for your license deadline: https://www.maine.gov/sos/bmv/legal-affairs-and-hearings

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