MISSISSIPPI · DUI CHECKLIST

Mississippi DUI 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

DPS administrative suspension (temporary permit, refusal suspension, and court review)

Mississippi has no stand-alone deadline to request an administrative hearing after a DUI arrest. The officer's receipt is a 30-day temporary permit. To avoid a 90-day suspension, you must request a trial within 30 days and get an order extending the permit (§63-11-23(2)). If the Commissioner sustains a refusal suspension after a hearing, you have 10 days from that decision to petition the circuit or county court for review (§63-11-25).

Who: Mississippi Department of Public Safety, Driver Service Bureau (DUI Department)

KEY FACTS

SUSPENSION, 1ST FAILED TEST

90-day administrative suspension when the 30-day permit expires without a court order; 120 days on a first DUI conviction unless the court orders an interlock-restricted license

SUSPENSION, 1ST REFUSAL

90 days (1 year with a prior DUI conviction)

1ST OFFENSE CHARGE

Misdemeanor

1ST OFFENSE FINE

$250 to $1,000

1ST OFFENSE JAIL

Up to 48 hours

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 5 years count

IGNITION INTERLOCK

On a first alcohol DUI, you either install an interlock and hold an interlock-restricted license or serve a 120-day suspension. The court can order an interlock-restricted license instead of suspension on repeat offenses, and after a third offense only an interlock-restricted license is available once you are released.

1 First 24 Hours

- [ ] **DPS administrative suspension (temporary permit, refusal suspension, and court review): Mississippi has no stand-alone deadline to request an administrative hearing after a DUI arrest. The officer's receipt is a 30-day temporary permit. To avoid a 90-day suspension, you must request a trial within 30 days and get an order extending the permit (§63-11-23(2)). If the Commissioner sustains a refusal suspension after a hearing, you have 10 days from that decision to petition the circuit or county court for review (§63-11-25).**
- [ ] Keep the receipt the officer gave you — If your license was taken, that receipt is your temporary driving permit. It is valid for only 30 days.
- [ ] Contact the court within 30 days — Ask for a trial date and an order extending your permit. Without it, DPS suspends your license for 90 days when the permit runs out.
- [ ] If you refused, watch for the DPS notice — A refusal brings a 90-day suspension, or 1 year with a prior DUI. If DPS sustains it after a hearing, you have 10 days to ask the court to review it.
- [ ] Ask about the interlock-restricted license — On a first DUI, an interlock-restricted license can replace the 120-day hard suspension.
- [ ] Talk to a lawyer about nonadjudication — First-time defendants without a CDL may qualify once. It affects whether you'll have a conviction on your record.

2 Court

- [ ] Arrest and temporary permit — The officer takes your license and gives you a temporary driving permit. The DUI is filed in justice court if the stop was outside a city, or municipal court if inside.
- [ ] Contact the court within 30 days — Ask the court for a trial date and an extension of your driving permit. If you don't, your privileges are suspended for 90 days. If you ask for trial within 30 days and the delay isn't your fault, the court must extend your privileges until the case ends.
- [ ] Plea or trial — You plead guilty or not guilty before the justice or municipal judge. A bench trial is held if you don't plead guilty.
- [ ] Nonadjudication — On a plea or after trial, the court may withhold a finding of guilt and place you in a nonadjudication program. It is allowed only once, and not for CDL holders.
- [ ] Sentencing and appeal — If convicted, you are sentenced and must complete MASEP. You can appeal a justice or municipal court conviction to circuit court.

3 Getting Your License Back

- [ ] Mississippi Alcohol Safety Education Program (MASEP): Required after a DUI conviction or nonadjudication before your license can be reinstated or you can get an unrestricted license. It is a 12-hour statewide course completed over about four weeks.

- [ ] Ignition interlock: On a first alcohol DUI, you either install an interlock and hold an interlock-restricted license or serve a 120-day suspension. The court can order an interlock-restricted license instead of suspension on repeat offenses, and after a third offense only an interlock-restricted license is available once you are released.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Ignition interlock-restricted license: The court issues the order. Call the DPS DUI Department to make sure the court papers are on your record, then go to a driver license station with proof the interlock is installed.

Your full Mississippi DUI guide

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

https://dui911.org/mississippi

Official source for your license deadline: https://www.driverservicebureau.dps.ms.gov/DriverRecords/DUI_Department

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