NEW HAMPSHIRE · DWI CHECKLIST

New Hampshire 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 Administrative License Suspension (ALS)

RSA 265-A:31 says a request received more than 30 days after the date the notice is issued is denied as untimely. The officer serves the notice at arrest when the result is known; a mailed notice is presumed served 3 days after mailing. The suspension takes effect 30 days after service, and filing a request does not stay it. The hearing is held within 20 days of the request.

Who: New Hampshire Department of Safety, Bureau of Hearings (suspension imposed by the Division of Motor Vehicles)

KEY FACTS

SUSPENSION, 1ST FAILED TEST

6 months (2 years with a prior DWI conviction, refusal, or administrative suspension)

SUSPENSION, 1ST REFUSAL

180 days (2 years with a prior DWI conviction or refusal)

1ST OFFENSE CHARGE

Class B misdemeanor. Aggravated DWI is a class A misdemeanor, or a class B felony if it involves a collision causing serious bodily injury

1ST OFFENSE FINE

At least $500, up to $1,200 (aggravated DWI: at least $750; with serious bodily injury: at least $1,000)

1ST OFFENSE JAIL

No jail for a standard first DWI (a class B misdemeanor cannot carry incarceration). Aggravated DWI: mandatory 17 consecutive days, 12 suspended. Aggravated DWI with serious bodily injury: mandatory 35 consecutive days, 21 suspended

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

Required by the court for an aggravated DWI or a second or later DWI.

1 First 24 Hours

- [ ] **Administrative License Suspension (ALS): act within 30 days. RSA 265-A:31 says a request received more than 30 days after the date the notice is issued is denied as untimely. The officer serves the notice at arrest when the result is known; a mailed notice is presumed served 3 days after mailing. The suspension takes effect 30 days after service, and filing a request does not stay it. The hearing is held within 20 days of the request.**
- [ ] Find your Administrative License Suspension notice — The officer serves it at arrest, or it comes by mail. The 30-day hearing window runs from the date the notice is issued, and the suspension takes effect 30 days after service.
- [ ] Request the ALS hearing right away — Send it to the Department of Safety, Bureau of Hearings, online, by email, by fax, or by mail. It must be received within 30 days of the date the notice was issued or it is denied.
- [ ] Don't count on the request pausing your suspension — The suspension starts 30 days after service either way. The hearing is held within 20 days of your request, so filing early matters.
- [ ] Write down what happened — Where you were stopped, what you drank and when, which tests you took or refused, and whether anyone under 16 was in the car.
- [ ] Talk to a lawyer about the DWI charge — Whether the charge is DWI or aggravated DWI changes the penalties a lot. A lawyer can review both the ALS case and the court case.

2 Court

- [ ] Complaint and arraignment date — The officer files a DWI complaint in the Circuit Court, District Division. Your first court date is the arraignment.
- [ ] Arraignment and plea — You plead not guilty, guilty, or nolo contendere (no contest, with the court's consent). A guilty or nolo plea can be taken the same day.
- [ ] Pretrial — A not guilty plea sends the case to the trial list. This is the time to review the police report, test results, and the separate ALS decision.
- [ ] Plea or trial — Before accepting a guilty or nolo plea, the judge must confirm on the record that there is a factual basis and that you understand the DWI Acknowledgment and Waiver of Rights form. Otherwise the case is tried.
- [ ] Sentencing — A first DWI brings at least a $500 fine, a 9-month to 2-year revocation, and referral to an Impaired Driver Care Management Program. The court can suspend up to 6 months of the revocation if you follow the program and use an ignition interlock.

3 Getting Your License Back

- [ ] Impaired Driver Care Management Program (IDCMP): A first DWI conviction means an IDCMP referral, an alcohol and drug screening within 14 days of conviction, a full substance use disorder evaluation within 30 days of conviction if the screening shows a likely disorder, and following the resulting service plan. You must also complete a state-approved impaired driver education program before your license is restored. Since January 1, 2026, a standard DWI conviction and any second or later conviction also require a qualified online victim impact panel program unless the court finds exceptional circumstances. For a second or later offense, the license is not restored until you finish the IDCMP service plan and pay all fees.
- [ ] Ignition interlock: Required by the court for an aggravated DWI or a second or later DWI.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Limited driving privilege (RSA 263:57-b): Petition the court where you were convicted, using the Petition for Limited Driving Privileges (NHJB-2026-DSE). If the court approves, apply to the DMV for the limited privilege license. The DMV and the Bureau of Hearings cannot grant it.

Your full New Hampshire DWI guide

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

https://dui911.org/new-hampshire

Official source for your license deadline: https://www.dos.nh.gov/hearings/administrative-license-suspension-hearing

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