NORTH DAKOTA · DUI CHECKLIST

North Dakota DUI 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 NDDOT administrative hearing

10 days from issuance of the Report and Notice / Temporary Operator's Permit the officer gave you. A mailed request counts by its postmark. You can request online or by mail. The hearing must be held within 30 days of the permit's issuance.

Who: North Dakota Department of Transportation (NDDOT), Driver License Division

KEY FACTS

SUSPENSION, 1ST FAILED TEST

91 days below 0.18; 180 days at 0.18 or more

SUSPENSION, 1ST REFUSAL

180 days revocation (2 years with one prior in 7 years; 3 years with two or more)

1ST OFFENSE CHARGE

Class B misdemeanor

1ST OFFENSE FINE

At least $500. Aggravated: at least $750

1ST OFFENSE JAIL

No mandatory jail below 0.16. Aggravated (0.16 or more): at least 2 days

INSURANCE FILING

SR-22 for 1 years

PRIOR OFFENSES

Priors within 7 years count

IGNITION INTERLOCK

North Dakota relies on the 24/7 sobriety program rather than mandatory interlock. NDDOT may require an interlock as a condition of a temporary restricted license, and the Attorney General may allow interlock instead of twice-daily breath tests in 24/7.

1 First 24 Hours

- [ ] **NDDOT administrative hearing: act within 10 days. 10 days from issuance of the Report and Notice / Temporary Operator's Permit the officer gave you. A mailed request counts by its postmark. You can request online or by mail. The hearing must be held within 30 days of the permit's issuance.**

- [ ] Find your Report and Notice — The officer's Report and Notice is your temporary operator's permit. Your 10 days start from the date it was issued.
- [ ] Request the NDDOT hearing within 10 days — Request it online through NDDOT's hearing form or by mail. Mailed requests count by postmark. The hearing must be held within 30 days of the permit.
- [ ] Check your BAC against 0.16 and 0.18 — At 0.16 a first DUI carries at least 2 days in jail. At 0.18 the license suspension doubles to 180 days.
- [ ] Count prior DUIs — Priors in 7 years make it a second or third offense. A fourth within 15 years is a Class C felony.
- [ ] Ask about 24/7 and a temporary restricted license — If you join 24/7 sobriety, you may get a temporary restricted license after 14 days (30 days without 24/7 on a first offense). You need an SR-22 to apply.
- [ ] Talk to a lawyer before the hearing — The NDDOT hearing and your criminal case run separately. The hearing is a chance to see the officer's evidence early.

2 Court

- [ ] Report and Notice and the charge — The officer gives you the Report and Notice, which starts the 10-day NDDOT hearing window. The criminal charge is filed in municipal court or District Court.
- [ ] Initial appearance and plea — You enter a plea. If a municipal judge learns of disqualifying prior DUIs, the charge is dismissed and refiled in District Court.
- [ ] Jury demand — Municipal courts do not hold jury trials. For a class B misdemeanor DUI in municipal court, file a written jury demand within 28 days after your not guilty plea. The case then moves to District Court, and the city still prosecutes.
- [ ] Plea or trial — If you do not plead guilty, the case is tried before the judge, or before a jury in District Court if you asked for one.
- [ ] Sentencing — A first DUI sentence must include at least a $500 fine and an addiction evaluation. At 0.16 or more it is an aggravated first offense with at least 2 days in jail and a $750 minimum fine.

3 Getting Your License Back

- [ ] Addiction evaluation by a licensed addiction treatment program: Every DUI sentence must order an addiction evaluation by an appropriate licensed addiction treatment program. If the evaluation shows you need treatment, the court may order it.
- [ ] Ignition interlock: North Dakota relies on the 24/7 sobriety program rather than mandatory interlock. NDDOT may require an interlock as a condition of a temporary restricted license, and the Attorney General may allow interlock instead of twice-daily breath tests in 24/7.
- [ ] File SR-22 insurance and keep it 1 years.
- [ ] Ask about a Temporary restricted license: Apply to NDDOT with proof of financial responsibility (SR-22) and proof that you are taking part in the 24/7 sobriety program.

Your full North Dakota DUI guide

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

https://dui911.org/north-dakota

Official source for your license deadline: https://www.dot.nd.gov/driver/driver-record-services-and-suspensions

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