OREGON · DUII CHECKLIST

Oregon DUII 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 Implied consent hearing (DMV suspension for test failure or refusal)

For a breath test failure or any refusal, DMV must receive the request by 11:59 p.m. on the 10th day after the arrest. Receipt counts, not mailing. For a blood test failure, the deadline is the number of days stated on the DMV notice. Request online, by fax, or by mail; DMV will not take a request by phone.

Who: Oregon Driver & Motor Vehicle Services (DMV), Hearings Case Management Unit

KEY FACTS

SUSPENSION, 1ST FAILED TEST

90 days (1 year if you had a DUII conviction, diversion, or implied consent suspension in the past 5 years)

SUSPENSION, 1ST REFUSAL

1 year (3 years if you had a DUII conviction, diversion, or implied consent suspension in the past 5 years)

1ST OFFENSE CHARGE

Class A misdemeanor

1ST OFFENSE FINE

$1,000 minimum ($2,000 at 0.15 or more); up to $6,250

1ST OFFENSE JAIL

48 hours in jail or community service minimum; up to 364 days

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

Required after a DUII conviction, and during DUII diversion if your BAC was 0.08 or more, you refused a test, or drugs were found. Also required to get a hardship permit during a DUII suspension.

1 First 24 Hours

- [ ] **Implied consent hearing (DMV suspension for test failure or refusal): act within 10 days. For a breath test failure or any refusal, DMV must receive the request by 11:59 p.m. on the 10th day after the arrest. Receipt counts, not mailing. For a blood test failure, the deadline is the number of days stated on the DMV notice. Request online, by fax, or by mail; DMV will not take a request by phone.**

- [ ] Find your Implied Consent Combined Report — The officer gave you this notice if you failed or refused a breath test. It also serves as a 30-day temporary permit. Blood test failures get a notice from DMV later.
- [ ] Get your hearing request to DMV within 10 days — DMV must receive it by 11:59 p.m. on the 10th day after arrest. Request online, by fax to 503-945-5521, or by mail to DMV Hearings in Salem. Phone calls do not count.
- [ ] Mark your court date — Your first appearance in court starts the clock for diversion. The petition is generally due within 30 days of that appearance.
- [ ] Check whether you qualify for DUII diversion — No DUII conviction or diversion in the past 15 years, no CDL, and no one hurt in a crash are key conditions. Diversion lasts one year.
- [ ] Talk to a lawyer — The DMV hearing happens within about 30 days of arrest. Your lawyer can use it to question the officer before the criminal case moves forward.

2 Court

- [ ] Arrest and citation — The criminal DUII case and the DMV implied consent case start separately. The district attorney reviews your history before your first appearance to see if you are eligible for diversion.
- [ ] First appearance (arraignment) — The court must tell you that DUII diversion may be available. Go to this hearing: appearing is one of the diversion conditions.
- [ ] Diversion petition, if eligible — Within 30 days of the first appearance, file the petition and Declaration of Eligibility and plead guilty or no contest. The prosecutor has 15 days to object. If allowed, the court holds the plea for one year.
- [ ] Not guilty plea and trial — If you plead not guilty, the court sets a case management conference. If the case does not settle, it goes to trial, where the state must prove guilt beyond a reasonable doubt.
- [ ] Dismissal or sentencing — Finish diversion and you move to dismiss the charge. If you are convicted, or diversion is terminated, the court sentences you, including a screening interview and treatment.

3 Getting Your License Back

- [ ] DUII screening interview and DUII services (treatment) program: Required after a DUII conviction and as part of DUII diversion. You meet with an Alcohol and Drug Screening Specialist (ADSS), pay the $150 screening fee (ORS 813.021), and complete the treatment program you are referred to. The ADSS reports completion or failure to the court. Diversion participants generally must finish within 12 months.
- [ ] Ignition interlock: Required after a DUII conviction, and during DUII diversion if your BAC was 0.08 or more, you refused a test, or drugs were found. Also required to get a hardship permit during a DUII suspension.
- [ ] File SR-22 insurance and keep it 3 years.
- [ ] Ask about a Hardship permit: Apply to Oregon DMV, not the court. DMV's Hardship Permits page lists the application and requirements, including SR-22 proof and, for a DUII suspension, an installed interlock.

Your full Oregon DUII guide

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

https://dui911.org/oregon

Official source for your license deadline: https://www.oregon.gov/odot/dmv/pages/driverid/ichearing.aspx

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