SOUTH CAROLINA · DUI CHECKLIST

South Carolina 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

30 days to act on your Implied consent suspension (contested case hearing before the Office of Motor Vehicle Hearings)

30 days from the issuance of the notice of suspension. The suspension applies only if you refused or tested 0.15 or more. If you do not request a hearing, the suspension continues without a stay.

Who: South Carolina DMV; hearings held by the Office of Motor Vehicle Hearings (SC Administrative Law Court)

KEY FACTS

SUSPENSION, 1ST FAILED TEST

1 month (0.15 or more only); can end early through interlock

SUSPENSION, 1ST REFUSAL

6 months; can end early through interlock

1ST OFFENSE CHARGE

Misdemeanor

1ST OFFENSE FINE

$400 (under 0.10), $500 (0.10 to under 0.16), or $1,000 (0.16 or more), before assessments; about $992 with assessments at the base tier

1ST OFFENSE JAIL

The court imposes the fine or jail: 48 hours to 30 days (under 0.10); 72 hours to 30 days (0.10 to under 0.16); 30 to 90 days (0.16 or more). Public service can replace the minimum jail term

INSURANCE FILING

SR-22 for 3 years

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

Since May 19, 2024, the “All Offender” law requires every driver convicted of DUI to join the Ignition Interlock Device Program, regardless of BAC. Interlock can also end a refusal or 0.15+ administrative suspension early.

1 First 24 Hours

- [ ] **Implied consent suspension (contested case hearing before the Office of Motor Vehicle Hearings): act within 30 days. 30 days from the issuance of the notice of suspension. The suspension applies only if you refused or tested 0.15 or more. If you do not request a hearing, the suspension continues without a stay.**
- [ ] Check whether you got a notice of suspension — You get one only if you refused testing or blew 0.15 or more (0.02 if under 21). It starts the 30-day hearing clock.
- [ ] Request the OMVH hearing within 30 days — File the contested case hearing request with the Office of Motor Vehicle Hearings. Without it, the suspension runs its full length.
- [ ] Ask about a temporary alcohol license — The notice explains your right to a temporary alcohol license while the hearing is pending. Interlock enrollment can also end the suspension early.
- [ ] Plan for ignition interlock — Since May 2024, any DUI conviction requires interlock. Ask what it would mean for your job and car before you plead.
- [ ] Talk to a lawyer before the hearing — The OMVH hearing is a chance to question the arresting officer. That testimony can matter in the criminal DUI case.

2 Court

- [ ] Arrest and ticket — You get a DUI ticket with your court date. If you refused or tested 0.15 or more, you also get a notice of suspension that starts the 30-day OMVH hearing clock.
- [ ] First court date in a summary court — A first-offense DUI can be tried in magistrate or municipal court. Higher-level cases go to the Court of General Sessions.
- [ ] Decide on a jury trial — You have a right to a jury trial. In magistrate or municipal court the jury is six people, and the verdict must be unanimous.
- [ ] Plea or trial — Your BAC tier (under 0.10, 0.10 to 0.16, or 0.16 or more) sets the minimum jail and fine if you are convicted.
- [ ] Sentencing and next steps — Enroll in ADSAP within 30 days (the court is told if you do not). Every DUI conviction also requires the Ignition Interlock Device Program.

3 Getting Your License Back

- [ ] Alcohol and Drug Safety Action Program (ADSAP): Required after a DUI or DUAC conviction. Enroll in a certified ADSAP program within 30 days; the court must be told if you fail to enroll in that time. Failing to enroll or take part is reported to the court and can be contempt. SCDMV will not reinstate your license or issue a special driving privilege until enrollment is confirmed.
- [ ] Ignition interlock: Since May 19, 2024, the “All Offender” law requires every driver convicted of DUI to join the Ignition Interlock Device Program, regardless of BAC. Interlock can also end a refusal or 0.15+ administrative suspension early.
- [ ] File SR-22 insurance and keep it 3 years.

- [ ] Ask about a Ignition interlock restricted license (“II” license): Enroll in ADSAP, have an approved interlock installed, and get the “II” restricted license from SCDMV. The Department of Probation, Parole and Pardon Services runs the interlock program.

Your full South Carolina DUI guide

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

https://dui911.org/south-carolina

Official source for your license deadline: https://dmv.sc.gov/Driver-Services/License-Reinstatement

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