**KNOW YOUR LEGAL RIGHTS**

**Can you afford to drink and drive?**

By Attorney Kyle Borkenhagen

You have heard the campaign slogans in television commercials and read them so many times on billboards that the words have become cliché. “Drive sober or get pulled over!” “Buzzed driving is drunk driving.” “Over the limit. Under arrest.”

Of course, driving under the influence of alcohol is dangerous and illegal. Getting caught driving drunk might harm your reputation in the community, could ruin your career, and certainly will cause you great embarrassment when your friends, family, and co-workers find out about your actions.

You probably already know these things. But what you may not know is that getting arrested for drunk driving is a terrible financial decision. Just how much money could an arrest for your first operating while intoxicated (OWI) in Wisconsin cost you? Let me total up the costs for you.

**Fines and Costs**

Your fine costs between $150 and $300 and you’ll pay a $435 driver-improvement surcharge in addition to other smaller court costs, surcharges, and fees.

**Ignition Interlock Device**

A blood alcohol concentration (BAC) level of 0.08 is the legal limit in Wisconsin. If you have a BAC of 0.15 or more, you will be required to install an ignition interlock device (IID) in every car titled or registered in your name for one year.

An automobile service center that installs IIDs will charge you various fees that could include an installation fee, a monthly service fee, a calibration fee, and a removal fee. All told, the cost of equipping one car with an IID for one year is between $875 and $1,200 depending on the charges of the service center that installs your IID.

**Occupational License and Reinstatement of Regular License**

Your regular license will be revoked for at least six months and for as long as nine months. During the time your license is revoked, you may get an occupational license, which will allow you to drive for limited activities, such as work, school, and doctor’s appointments.

The cost of an occupational license is $50. When your six-to-nine month revocation has been served, you will need to pay the DMV $200 to reinstate your regular license.

**Insurance**

To obtain an occupational license, you must submit an SR-22 Certificate, which is a form that proves you have automobile insurance. Of course, after a drunk driving conviction, your insurance premiums will be higher. In Wisconsin, the average yearly cost of automobile insurance increases by $442 after a drunk driving conviction.

**Alcohol or Other Drug Abuse Assessment**

After conviction, you must complete an alcohol or other drug abuse (AODA) assessment and follow through with a driver safety plan created by the county official who conducts your AODA assessment. AODA assessment fees are set by the county where you take the assessment and range in cost from approximately $175 to $380.

**Lawyer Fees**

To understand the court process and protect your rights, you may choose to hire a lawyer to represent you after you are arrested for your first OWI. The cost of a lawyer could range between $1,000 and $5,000. If you take your case to trial or hire a lawyer who specializes in drunk driving cases, your representation could cost much more than $5,000.

All told, your first drunk driving could cost you $8,000 or more, and that is just for a first offense. A second or third offense may mean jail time, in addition to the costs involved. This raises the question: can you afford to drink and drive?

*Kyle Borkenhagen heads the litigation practice at Rohde Dales, LLP, in Sheboygan, Wisconsin. Kyle’s practice primarily focuses on trial work, including personal injury and wrongful death cases, insurance disputes, criminal defense, and commercial law matters.* *He is a member of the State Bar of Wisconsin’s Lawyer Referral and Information Service, which connects Wisconsin residents with lawyers throughout the state. Learn more at*[*wislaw.org*](http://wislaw.org/)*.*