

Disclaimer: Each case is unique and has a distinct set of facts. Legal results are highly dependent upon the facts of each case and the applicable law to those facts. The results shown in this chart does not mean that the same result(s) can or will be obtained for you. The results shown in the chart are not a guaranty, warranty, or promise of a similar or favorable results regarding your case.

ILLINOIS
 GENERAL DUI AND RELATED OFFENSE PENALTY CHART
 SEVERAL EXCEPTIONS TO RESULTS SHOWN APPLY
 INCLUDING ENHANCED PENALTIES FOR
 .16 BAC, INJURIES, AGE 21, AGE 18
 COMMERCIAL DRIVERS LICENSE NOT SHOWN
THE CHART DOES NOT APPLY IF THERE IS AN ACQUITTAL

Offence	Summary Suspension Breath Test	MDDP after 30 day no- drive	Summary Suspension Breath Test Taken/Refused	License Rev if convicted	Crime Class	Max penalty	Prob penalty with effective representation	Fine
DUI First Ever	6 mo	yes	6 mo if take breath test and test over .08 BAC, 12 mo if refuse	none with effective counsel	A	1 yr.	Court supervision	\$1,500
DUI "First Offender" - none within 5 years	6 mo	yes	12 mo if refuse but MDDP here also	1 yr	A	1 yr	conditional discharge	\$1,500
Second DUI	12 mo	no	12 mo if take breath test and test over .08, 3 yr if refuse	5 yr, but possible RDP in 1 yr	A	1 yr	5 days or community service	\$1,500+

Third DUI	12 mo	no	12 mo if take breath test and test over .08, 3 yr if refuse	6 yr	2 fel	3-7 yr	30 days	\$3,000
Open container - First	no	NA	NA	NA	NA	\$1,000	\$500	
Open container - Second	no	NA	NA	1 yr	NA	\$1,000	\$1,000	
Open Container Under Age 21	no	NA	NA	1yr sus for 1 st Rev. For 2nd	NA	\$1,000	\$500-\$1,000	
Offence	Summary Suspension Breath Test	MDDP after 30 day no-drive	Summary Suspension Breath Test Refused	License Rev if convicted	Crime Class	Max penalty	Prob penalty with effective representation	Fine
Cannibus ≤2.5 gr					C	30 dy	15	
Cannibus ≤10 gr					B	180 dy	30	
Cannibus ≤30 gr					A	364 dy	30-60	
Cannibus ≤500 gr					4 fel	1-3yr	fact determinative	
Cannibus ≤5,000 gr					2 fel	3-7yr	fact determinative	
Cannibus >5,000 gr					1 fel	4-15yr	fact determinative	