



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

**CRIMINAL OR ENHANCED CIVIL
PENALTIES FOR IMPLIED CONSENT BREATH TEST REFUSAL**

Updated June 2018

By Anne Teigen

| State/Jurisdiction | Criminal | Enhanced Civil |
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| Alabama | None | <p>Ala. Code §32-5A-304, §32-5-192</p> <p>First refusal – 90-day license suspension</p> <p>Second refusal (within 5 years)– 1-year suspension</p> <p>Third or fourth refusal (within 5 years) –3-year suspension</p> <p>Five or more refusals (within preceding 5 years): 5 years</p> |
| Alaska | <p>Alaska Stat. §28.35.032 Refusal to submit to a chemical test is a class A misdemeanor</p> <p>First refusal- Not less than 72 consecutive hours in jail; ignition interlock required for at least 6 months after regaining license from suspension; a fine of not less than \$1,500;</p> <p>Second refusal- Not less than 20 days in jail; ignition interlock required for at least 12 months after regaining license from suspension; a fine of not less than</p> | <p>Alaska Stat. §28.15.181</p> <p>First refusal – not less than 90-day license suspension</p> <p>Second refusal (within 15 years) not less than 1-year suspension</p> <p>Third refusal (within 15 years) – not less than 3-year suspension</p> <p>Four or more refusal (within 15 years) not less than 5 year suspension</p> |

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| | <p>\$3,000.</p> <p>Third refusal- Not less than 60 days in jail; ignition interlock required for at least 18 months after regaining license from suspension; a fine of not less than \$4,000</p> <p>Fourth refusal: Not less than 120 days in jail; ignition interlock required for at least 24 months after regaining license from suspension; and a fine of not less than \$5,000</p> <p>Fifth refusal: Not less than 240 days in jail; ignition interlock required for at least 30 months after regaining license from suspension; and a fine of not less than \$6000</p> <p>Six or more refusals: not less than 360 days in jail; ignition interlock required for at least 36 months after regaining license from suspension; and a fine of not less than \$7,000</p> <p>*The court shall revoke the person's driver's license and may order the vehicle to be forfeited</p> <p>Court may order monitored sobriety or treatment in alcohol safety action program</p> | |
| Arizona | None | <p>Ariz. Rev. Stat. Ann. §28-1321</p> <p>First refusal – 12-month license suspension</p> <p>Subsequent refusal (within 84 months) – 2-year license suspension (mandatory)</p> <p>*Ignition interlock license available in limited circumstances after 90-day suspension</p> |

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| Arkansas | <p>Ark. Stat. Ann. §5-65-305 and Ark. Stat. Ann. §5-65-205</p> <p>First offense – \$100 to \$500 (and possible community service);First refusal- – 180-day license suspension. (interlock license may be issued immediately)</p> <p>Second offense – \$200 to \$1,000 Second refusal (within 5 years) – 2-year license suspension</p> <p>Third or subsequent offense – \$500 to \$2,000 Third refusal (within 5 years) – 3-year license revocation; no restricted license may be issued</p> <p>Fourth refusal (within 5 years) license is revoked for the person’s lifetime</p> | <p>Ark. Stat. Ann. §5-65-205</p> |
| California | | <p>Cal. Vehicle Code §13353, §13353.4(a)</p> <p>First refusal – 1-year suspension</p> <p>Second refusal (within 10 years) – 2-year revocation</p> <p>Third refusal (within 10 years) 3-year revocation</p> |
| Colorado | None | <p>Colo. Rev. Stat. §42-2-126</p> <p>First refusal – 1-year license revocation</p> <p>Second refusal – 2-year license revocation</p> <p>Subsequent refusal–3-year license revocation</p> <p>*Ignition interlocks available in some cases</p> |

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| Connecticut | None | <p>Conn. Gen. Stat. Ann. §14-227b</p> <p>(c) If the person arrested refuses to submit to such test or analysis or submits to such test or analysis, commenced within two hours of the time of operation, and the results of such test or analysis indicate that such person has an elevated blood alcohol content, the police officer, acting on behalf of the Commissioner of Motor Vehicles, shall immediately revoke and take possession of the motor vehicle operator's license or, if such person is a nonresident, suspend the nonresident operating privilege of such person, for a twenty-four-hour period</p> |
| Delaware | None | <p>Del. Code Ann. tit. 21 §2742</p> <p>First refusal within 5 years—1-year license revocation</p> <p>Second refusal (within 5 years) – 18-month license revocation</p> <p>Third or subsequent refusals (within 5 years) – 24-month license revocation</p> |
| Florida | <p>Fla. Stat. Ann. §316.1932</p> <p>Offense is misdemeanor if person's license has been previously suspended for a refusal</p> <p>*If lawmakers fail to classify a misdemeanor, then it is punishable as a misdemeanor of the second degree, which carries up to 60 days in jail and a fine of up to \$500 (Fla. Stat. Ann. § 775.081, §775.082, §775.083)</p> | <p>Fla. Stat. Ann. §316.1932</p> <p>First refusal – 1-year license suspension (90 days mandatory); hardship license is available after this mandatory period</p> <p>Subsequent refusals— 18-month license suspension</p> |
| Georgia | None | <p>Ga. Code §40-5-67.1(d)</p> <p>Refusal- 1-year license suspension</p> |
| Hawaii | | <p>Hawaii Rev. Stat. § 291E-65,</p> |

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| | | <p>§291E-41(d) and(e).</p> <p>First refusal within 5 years– 1-year license revocation.</p> <p>Second refusal– 2- 5-year license revocation</p> |
| Idaho | None | <p>Idaho Code §18-8002A</p> <p>First Refusal – 1-year license suspension</p> <p>Second refusal (within 10 years) – 2-year license suspension.-</p> |
| Illinois | None | <p>625 Ill. Rev. Stat. 5/6-208.1</p> <p>First offense – 1-year license suspension; not eligible for an interlock permit</p> <p><i>Subsequent offenses</i> – 3-year license suspension</p> |
| Indiana | None | <p>Ind. Code Ann. § 9-30-6-9 (a)</p> <p>First offense– 1-year license suspension</p> <p>Second refusal– 2-year license suspension</p> |
| Iowa | None | <p>Iowa Code §321J.9</p> <p>First refusal – 1-year license revocation (90 day mandatory)</p> <p>Second or subsequent refusal – 2-year license revocation (90 day mandatory)</p> <p>*A restricted license may be issued by the licensing agency after mandatory period with ignition interlock requirement (§§321J.9(2)(b) and 321J.20(6))</p> |

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| | | <p>*\$200 additional civil penalty assessed for refusals (§321.218A)</p> <p>*Refusal to submit to blood test is not considered a refusal, but refusal to submit a urine or breath test is considered a refusal (I.C.A. § 321J.6)</p> |
| Kansas | <p>Feb. 26, 2016, in <i>State v. Ryce</i>, the Kansas Supreme Court ruled that the law making it a crime to refuse a chemical test violates federal constitutional rights of drivers</p> | <p>Kan. Stat. Ann. § 8-1014(a)</p> <p>First occurrence – 1-year license suspension followed by 2 years with interlock installed-</p> <p>Second occurrence – 1-year license suspension followed by 3 years with interlock installed.-</p> <p>Third occurrence –1-year license suspension followed by 4 years with interlock installed.-</p> <p>Fourth occurrence – 1-year license suspension followed by 5 years with interlock installed.-</p> <p>Fifth or subsequent occurrence – 1-year license suspension followed by 10 years with interlock installed</p> |
| Kentucky | <p>Ky. Rev. Stat. §189A.105</p> <p>Anyone who refuses test and is subsequently convicted of impaired driving will be subject to a mandatory minimum jail sentence twice as long as the mandatory minimum jail sentence if he does submit to the testing.</p> | <p>Ky. Rev. Stat. §189A.070</p> <p>First refusal – license suspension of 30 to 120 days (within 10 years)</p> <p>Second refusal – license suspension of 12-18 months (within a 10-year period)</p> <p>Third refusal – license suspension of 24 -36 months (within a 10-year period)</p> <p>Fourth or subsequent refusal within 10 years: 60 month suspension</p> <p>*License will not be reinstated until alcohol or substance abuse treatment program is completed' and ignition interlock available after 12</p> |

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| | | months |
| Louisiana | | <p>La. Rev. Stat. Ann. §32:667</p> <p>First refusal – 1-year license suspension</p> <p>Second or subsequent refusal- – (within 10 years) 2-year license suspension</p> <p>*Interlock licenses may be granted in some circumstances</p> <p>La. Rev. Stat. Ann. §32:666</p> <p>If arrested for driving while intoxicated after refusing to submit to such test on two previous occasions, the state can force violator to take the test and violator will be fined not less than \$300 nor more than \$1,000, and be imprisoned for not less than 10 days nor more than 6 months</p> |
| Maine | <p>Me. Rev. Stat. Ann. tit. 29-A § 2521</p> <p>*Refusal could be an aggravating factor in sentencing if person is convicted of impaired driving and could subject person to mandatory minimum of incarceration</p> | <p>Me. Rev. Stat. Ann. tit. 29-A §2521(6)</p> <p>First refusal –275-day license suspension</p> <p>Second refusal –18-month license suspension (mandatory)</p> <p>Third refusal – 4-year license suspension (mandatory)</p> <p>Fourth refusal – 6-year license suspension. (mandatory)</p> |
| Maryland | None | <p>Md. Tran. Code Ann. §16-205.1</p> <p>First refusal – 270-day license suspension</p> <p>Subsequent refusals – 2 years</p> |
| Massachusetts | None | <p>Mass. Gen. Laws Ann. ch. 90 §24(4)(f)</p> <p>First refusal –180-day suspension</p> |

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| | | <p>Second refusal – 3-year license suspension</p> <p>Third refusal – 5-year license suspension</p> <p>Fourth and subsequent refusals: lifetime suspension</p> <p>*Motorist’s vehicle shall be impounded for 12 hours after refusal</p> |
| Michigan | None | <p>Mich. Comp. Laws Ann. §257.625f</p> <p>First refusal – 1-year suspension (restricted/hardship license may be issued)</p> <p>Second and subsequent refusals (within 7 years) – 2-year mandatory license suspension</p> |
| Minnesota | <p>Under Minn. Stat. Ann. §169A.20, subd. 2, it is a crime to refuse to submit to a chemical test under the implied consent law; Refusal to submit to a chemical test is a drunk driving offense and sentenced as such</p> <p>Minn. Stat. Ann. §169A.20, subd. 2 was found unconstitutional as applied by <i>State v. Thompson</i> Dec. 28, 2015</p> | <p>Minn. Stat. Ann. §169A.52</p> <p>First refusal within 10 years– at least 1-year license revocation</p> <p>Refusal for a person with one qualified prior impaired driving incident within the past ten years, or two qualified prior impaired driving incidents is at least a 2 year license suspension</p> <p>Refusal for a person with two qualified prior impaired driving incidents within the past ten years, or three qualified prior impaired driving incident is at least a 3 year license suspension.</p> <p>At least a six year license suspension for a person with four or more qualified prior impaired driving incidents</p> <p>Under Minn. Stat. Ann. §169A.63, any motor vehicle used in a third or subsequent implied consent refusal</p> |

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| | | is subject to forfeiture |
| Mississippi | None | <p>Miss. Code. Ann. §63-11-30, §63-11-23</p> <p>Unless the person obtains an interlock restricted license, his license or permit to drive, or any nonresident operating privilege shall be suspended:</p> <p>Refusal with no previous driving under the influence conviction – 90-day license suspension</p> <p>Refusal with a driving under the influence conviction: 1 year suspension</p> |
| Missouri | None | <p>Mo Rev. Stat. §577.04,</p> <p>Mo. Ann. Stat. § 302.574 (West)</p> <p>Refusal to take the chemical test may be used against such person in court as evidence and the officer shall revoke his license immediately upon refusal to take the test.</p> <p>A refusal is punished by a 2 year license suspension. If a proof of financial responsibility is maintained with the court, then suspension will be one year</p> |
| Montana | None | <p>Mont. Code Ann. §61-8-402</p> <p>First refusal – 6-month license suspension and \$300 administrative fee</p> <p>Second or subsequent refusals (within 5 years) – 1-year license revocation (mandatory) (An officer may apply for a search warrant to take blood if the person stopped has refused in a prior investigation)</p> <p>*No restricted probationary license</p> |

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| | | can be issued |
| Nebraska | <p>Neb. Rev. Stat. §60-6,197.03 and,</p> <p>First offense (Class W misdemeanor) – license revocation for six months; need to apply for an ignition interlock permit for revocation period and have the device installed</p> <p>Second offense – (Class W misdemeanor) – license revocation for 18 months; need to apply for and install and ignition interlock device for at least one year.</p> <p>Third offense – (Class W misdemeanor) – License suspension for up to 15 years.</p> <p>Fourth or subsequent offense – (Class IIA felony) – license revocation for 15 years and at least 180 days imprisonment</p> <p>Fifth and subsequent convictions: IIA felony with minimum sentence of 2 years imprisonment and a license revocation of 15 years</p> | <p>Neb. Rev. Stat. §60-6,197 If a person arrested as described in subsection (2) of section 60-6,197 refuses to submit to the chemical test of blood, breath, or urine required by section 60-6,197, the test shall not be given except as provided in section 60-6,210 for the purpose of medical treatment and the arresting peace officer, as agent for the director, shall verbally serve notice to the arrested person of the intention to immediately confiscate and revoke the operator's license of such person and that the revocation will be automatic fifteen days after the date of arrest.</p> <p>Neb. Rev. Stat. Ann. § 60-498.01 (West)</p> <p>At the expiration of fifteen days after the date of arrest as described in subsection (2) of section 60-6,197 or if after a hearing pursuant to section 60-498.01 the director finds that the operator's license should be revoked, the director shall (a) revoke the operator's license of a person arrested for refusal to submit to a chemical test of blood, breath, or urine as required by section 60-6,197 for a period of one year</p> <p>Neb. Rev. Stat. Ann. § 60-498.02 (West)</p> |
| Nevada | None | <p>Nev. Rev. Stat. §484C.210</p> <p>First refusal – 1-year license revocation</p> <p>Refusal within 7 years of previous license revocation 3-year license revocation</p> <p>*Officer may direct that reasonable force be used to the extent</p> |

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| | | necessary to obtain samples of blood from the person to be tested |
| New Hampshire | None | <p>N.H. Rev. Stat. Ann. §265-A:14</p> <p>First refusal –180-day license suspension (mandatory)</p> <p>Second refusal or a first refusal where there has been a previous DWI offense – 2-year license suspension (mandatory); revocations are not to run concurrently with any other suspension or revocation</p> |
| New Jersey | None | <p>N.J. Rev. Stat. §39:4-50.4a (a)</p> <p>First refusal – 7-month to 1- year license revocation</p> <p>Second refusal – 2-year license revocation</p> <p>Subsequent refusal – 10-year license revocation</p> <p>N.J. Rev. Stat. §39:4-50.4a(b) School Property/Crossing: If the refusal occurred either 1) on property owned by or within 1,000 feet of an elementary/secondary school, 2) while driving through a designated school crossing zone or 3) while driving through a non-designated school crossing zone when juveniles are present, the following sanctions apply: for either a first or subsequent offense – a fine of \$500 to \$1,000; for a first offense – 1-year license suspension (mandatory); for a second offense – 4-year license suspension (mandatory); and for a third or subsequent offense – 20-year license suspension (mandatory).</p> |
| New Mexico | None | <p>N.M. Stat. Ann. §66-8-111(B)</p> <p>Refusal – 1-year license revocation or until all conditions for license reinstatement are met, whichever is later</p> |

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| New York | None | <p>N.Y. Vehicle and Traffic Law §1194</p> <p>First refusal – 1-year license revocation and \$500 civil penalty</p> <p>Second or subsequent refusal (within 5 years) – 18-month license revocation and \$750 civil penalty</p> <p>(1) Under V and T Law §1194(2)(b), anyone who refuses to submit to a chemical test may have his or her license suspended at the time of arraignment based upon a sworn written police report</p> |
| North Carolina | None | <p>N.C. Gen. Stat. §20-16.2 and §20-16.5</p> <p>First refusal – - 1-year license revocation (with 30-day immediate license revocation)</p> <p>N.C. Gen. Stat. §20-28.2(b), (d) and (e), §20-28.5 and 20-138.5(e)</p> <p>Limited forfeiture – A vehicle (whether or not owned by the driver) is subject to forfeiture (which appears to be mandatory) if the driver was driving such vehicle 1) while in violation of the drunk-driving laws and 2) while his/her license is still in a revocation status for either 1) a previous drunk-driving conviction, 2) implied consent refusal, 3) admin per se action, or 4) other license revocation-related alcohol conviction. Certain innocent parties who have an ownership interest in the vehicle or a lien holder may have the vehicle released to them.</p> |
| North Dakota | <p>N.D. Cent. Code §39-08-01</p> <p>First refusal (within 7 years) – Class B misdemeanor, \$500 fine and offender must undergo</p> | <p>N.D. Cent. Code §39-20-04 and §39-06.1-11(2)</p> <p>First refusal – 180-day license suspension if license has not been</p> |

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| | <p>addiction evaluation</p> <p>Second refusal (within 7 years) – Class B misdemeanor 10 days in jail (48 hours mandatory), \$1,500 fine and offender must undergo addiction evaluation</p> <p>Third refusal: – Class A misdemeanor (within 7 years) – 120 days in jail, \$2,000 fine and offender must undergo an addiction evaluation; at least 360 days of supervised probation and participation in 24/7 program</p> <p>Fourth or subsequent refusal: – Class C felony (within a 15-year period) – 1 year and 1 day jail time, \$2,000 fine and offender must undergo addiction evaluation; at least 2 years of supervised probation and participation in 24/7 program</p> | <p>suspended, revoked, or issuance denied for a refusal of chemical test in preceding seven years</p> <p>Second refusal (or previous DUI conviction) (within 7 years) – 2-year license revocation</p> <p>Third or subsequent refusal (within 7 years) – 3-year license revocation.</p> <p>*These license revocations are mandatory; however, a temporary restricted license may be issued under certain circumstances</p> <p>*After second or subsequent offense within 7 years, vehicle plates must be forfeited to the DMV</p> |
| Ohio | None | <p>Ohio Rev. Code Ann. §4511.191</p> <p>First refusal – 1-year license suspension</p> <p>Second refusal (within 10 years) – 2-year license suspension</p> <p>Third refusal (within 10 years) – 3-year license suspension</p> <p>Subsequent refusal (within 10 years) – 5-year license suspension</p> <p>*If person has been convicted of impaired driving two or more times within 6 years. the officer can use any reasonable means to make the person take a chemical test</p> <p>*\$475 fine to have license reinstated after refusal</p> |
| Oklahoma | None | Both of the below statutes have been found unconstitutional |

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| | | <p>under Hunsucker v. Fallin. Okla. Dec 19,2017</p> <p>47 Okl. St. Ann. §6-205.1, 47 Okl. St. Ann. §753</p> <p>First refusal – 180-day license and 18-month interlock requirement</p> <p>Second refusal (within 10 years) – 1-year mandatory license revocation</p> <p>Subsequent refusal (within 10 years) – 3-year license revocation</p> |
| Oregon | | <p>Or. Rev. Stat. §813.420,</p> <p>*Traffic violation with \$650 fine</p> <p>1 year license suspension for refusal of a chemical test if the person is not subject to an increase in suspension time for reasons described in statute. If the individual I subject to such an increase in suspension time, then his license shall be suspended for three years</p> |
| Pennsylvania | None | <p>Pa. Cons. Stat. tit. 75 §§1547</p> <p>First refusal – - 1-year license suspension</p> <p>Second refusal – 18-month license suspension</p> <p>Restoration fee of \$2000 when license suspended *Officer may compel test if person has had license suspended for alcohol-related offense</p> |
| Rhode Island | <p>R. I. Gen. Laws §31-27-2.1</p> <p>Second Refusal (within a 5-year period) – Misdemeanor offense; no more than 6 months of jail time</p> <p>Third and subsequent Refusal</p> | <p>R. I. Gen. Laws §31-27-2.1</p> <p>First refusal – \$200 to \$500 fine; 10 to 60 hours of community service; 6-month to 1-year license suspension; required attendance at course on DUI and/or alcohol or drug treatment; interlock may be</p> |

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| | (within a 5-year period) – misdemeanor offense; no more than 1 year of jail time | <p>required</p> <p>Second refusal (within a 5-year period) – \$600 to \$1,000 fine , 60-100 hours of community service; 1- to 2-year license suspension (2 year suspension if second violation in five years of refusal to submit to a blood test, specifically) ; and required alcohol or/drug treatment program</p> <p>Third and subsequent refusal (within a 5-year period) – \$800 to \$1,000 fine; not less than 100 hours of community service; 2- to 5-year license suspension; and required alcohol/drug treatment</p> <p>*In addition to the above fines, a defendant must pay an assessment fee of \$500. The imposition of these fines, assessments and/or public community service is mandatory.</p> |
| South Carolina | None | <p>S.C. Code Ann. §56-5-2951</p> <p>First refusal – 6-month license suspension</p> <p>Second refusal (within 10 years) – 9-month license suspension</p> <p>Third Refusal within 10 years: 1 year suspension</p> <p>Fourth and subsequent refusals: 15 month suspension</p> <p>*Person also must enroll in an Alcohol and Drug Safety Action Program</p> <p>*Restricted driving privileges available for either employment or college education purposes (§56-5-2951)</p> |
| South Dakota | None | <p>S.D. Codified Laws Ann. §32-23-11 and §32-23-18</p> <p>Refusal- – 1-year license revocation; restricted hardship</p> |

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| | | license is available |
| Tennessee | | <p>Tenn. Code Ann. §55-10-407</p> <p>First refusal (If no prior DUI or vehicular assault convictions) – 1-year license revocation</p> <p>Second refusal (or first refusal with a prior DUI or vehicular assault conviction) – 2-year license revocation</p> <p>*Interlock required if convicted of DUI after a refusal</p> |
| Texas | None | <p>Tex. Transportation Code Ann. §724.035</p> <p>First refusal – 180-day license suspension</p> <p>Refusal where , there has been a prior “alcohol-related or drug-related enforcement contact” within 10 years – 2-year license suspension</p> <p>* Officer can compel test if person has two prior DWI convictions or one prior DWI conviction but there had been a child in the car, or someone was seriously injured or killed</p> |
| Utah | None | <p>Utah Code Ann. §41-6a-520 and §41-6a-521</p> <p>First refusal – 18-month license revocation</p> <p>Second refusal – 36-month revocation if previous alcohol-related conviction within last 10 years</p> <p>*Refusals can carry a 5- to 10-year prohibition of driving with any measurable or detectable amount of alcohol in the person's body, depending on the person's prior</p> |

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| | | driving history, and a 3-year interlock requirement |
| Vermont | <p>Vt. Stat. Ann. tit. 23 §1202</p> <p>The person may be charged with the crime of criminal refusal if the person: (A) has previously been convicted a DUI, or (B) is involved in an accident or collision resulting in serious bodily injury or death to another, in which case the court may issue a search warrant and order the person to submit to a blood test, the results of which may be offered into evidence against the person at trial</p> <p>*There is no reference to the penalties for the crime of “criminal refusal” in Vermont statute</p> | <p>Vt. Stat. Ann. tit. 23 §1205</p> <p>First refusal – 6-month license suspension; interlock license available after 30 days</p> <p>Second refusal – mandatory 18-month license suspension with interlock available after 90 days</p> <p>Third or subsequent refusal – suspension for life; interlock available after 1 year</p> <p>*\$50 surcharge for refusals upon license reinstatement</p> |
| Virginia | <p>Va. Code Ann. §18.2-268.3</p> <p>First refusal– civil offense</p> <p>Second refusal (within 10 years); – Class 2 misdemeanor, which carries jail time of not more than 6 months and a fine of not more than \$1,000, either or both</p> | <p>Va. Code Ann. §18.2-268.3</p> <p>First refusal– 1-year license suspension</p> <p>Second refusal (within 10 years) – 3-year license suspension</p> <p>*There is also a mandatory 7-day license suspension under §46.2-391.2</p> |
| Washington | None | <p>Wash. Rev. Code §46.20.308 and §46.20.3101</p> <p>refusal – 1-year license revocation</p> <p>*Interlock installation available</p> |
| West Virginia | None | <p>W. Va. Code §17C-5-7</p> <p>First refusal – 1-year license revocation (or 45 days, with an additional 1-year of ignition interlock device)</p> |

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| | | <p>Second refusal – 5- or10-year license revocation</p> <p>Third refusal – Lifetime license revocation</p> |
| Wisconsin | None | <p>Wis. Stat. Ann. §343.10, §343.305, §343.307(2)</p> <p>First refusal – 1-year license revocation; after 30 days of the revocation period, the driver is eligible for an occupational license Person also will also be ordered to comply with an assessment and driver safety plan</p> <p>Second refusal (within 10 years) – 2-year license revocation; after 90 days of the revocation period, the driver is eligible for occupational license (if 2 or more refusals occur within 5 years, occupational license is available after 1 year with interlock)</p> <p>Third and subsequent refusal – 3-year license revocation; after 1 year of revocation period, the driver is eligible for an occupational license with interlock</p> <p>*If a minor is present during the incident of the refusal, all license suspension durations are doubled</p> |
| Wyoming | None | <p>Wyo. Stat. §31-6-102</p> <p>It does not mention anything really regarding what happens if you refuse a chemical test besides that the officers can get a warrant to get you to provide a chemical test.</p> |
| District of Columbia | None | <p>D.C. Code Ann. §50-1905</p> <p>First or subsequent refusal – 1-year license suspension</p> <p>*If the person has had a conviction for a prior it will be a rebuttable presumption that the person is under</p> |

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| | | the influence of alcohol or a drug or any combination thereof |
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