



Driving on the Right Side of the Road How Much a DWI Costs



JUST THE FACTS

A DWI arrest and conviction can cost up to \$17,000 or more.¹ That figure includes, but is not limited to, punishment, bail, attorney’s fees, court costs, court-ordered classes, vehicle towing and impoundment, costs of a hearing to regain a driver’s license, an SR-22 (proof of high-risk insurance), a potential ankle monitor, and a DPS surcharge. The chart below lists the amounts attributable to such costs. Other expenses include an increase in vehicle insurance, probation costs, and lost time at work or loss of a job. Furthermore, the social stigma associated with a DWI is immeasurable.

There is no statewide average cost for a DWI because certain factors cause fluctuation. For example, attorney’s fees and court costs vary by county, so where the DWI takes place determines these costs. Also, fines and bail are affected by the defendant’s previous record. If the DWI is accompanied by assault or manslaughter, the cost will go up exponentially. Moreover, a DWI with a passenger younger than 15 years of age is punishable by a fine of up to \$10,000, up to two years in a state jail, and loss of a driver’s license for up to two years.²

IT’S THE LAW

Cost of a DWI Arrest and Conviction	
Punishment	<p>First Offense</p> <ul style="list-style-type: none"> • A fine of up to \$2,000³ • Up to 180 days in jail⁴ • Loss of driver’s license for not less than 90 days or more than one year⁵ <p>Second Offense*</p> <ul style="list-style-type: none"> • A fine of up to \$4,000⁶ • Up to one year in jail⁷ • Loss of driver’s license for one year⁸ <p>Third Offense*</p> <ul style="list-style-type: none"> • A fine of up to \$10,000⁹ • Two to ten years in prison¹⁰ • Loss of driver’s license for not less than 180 days or more than two years, unless the court has ordered an ignition interlock device, in which case, suspension becomes for not less than one year or more than two years¹¹ <p>*After two or more DWI convictions in five years, installation of a special ignition switch that prevents a vehicle from being operated if the driver has been drinking is required.¹² This costs \$54-\$150 to install and \$600-\$2,800 in monthly fees.¹³</p>
Bail	\$185 - \$5000 ¹⁴
Attorney’s fees	\$275 - \$10,000 ¹⁵
Court costs	\$25 - \$1500 ¹⁶
Court-ordered classes	\$25 - \$185 ¹⁷
Vehicle towing and impoundment	\$30 - \$350 ¹⁸
Hearing to regain driver’s license	\$125 - \$1,937 (includes attorney fees) ¹⁹
SR-22 Insurance	\$75 - \$2,400 ²⁰
Ankle monitor	Up to \$4,500 (\$375 per month for 12 months) ²¹

Alcohol Education Course	\$25 - \$185 ²²
Texas Department of Public Safety Driver Responsibility Program Surcharge ²³	<p>Drivers who receive a conviction will pay an automatic annual surcharge for a period of three years from the date of conviction.</p> <p>First DWI offense</p> <ul style="list-style-type: none"> • \$1000 per year for three years <p>Subsequent DWIs</p> <ul style="list-style-type: none"> • \$1,500 per year for three years <p>DWI with blood alcohol concentration of 0.16 or more</p> <ul style="list-style-type: none"> • \$2,000 per year for three years

KEEP IT SAFE

The cost of a DWI is completely avoidable. Don't drink and drive. Use a designated driver.

ADDITIONAL RESOURCES

- DWI Statutes
 - Driving While Intoxicated (Tex. Penal Code § 49.04)
 - Enhanced DWI Penalties (Tex. Penal Code § 49.09)
 - Administrative Drivers License Suspensions (Tex. Transp. Code § 524.022)
 - Ignition Interlock Requirements (Tex. Transp. Code § 521.246)
- DWI Safety Tips
 - Tips on the dangers and penalties associated with DWI offenses under Texas law: <http://www.txdot.gov/safety/tips/intoxication.htm>.
- DWI Education Program
 - Details on the required education program following a DWI conviction in Texas are found on the Texas Department of State Health Services website: http://www.dshs.state.tx.us/offendered/oe_edinfo.shtm.

¹ Texas Department of Transportation, Labor Day 2011 *Drink. Drive. Go to Jail.* Campaign, http://ftp.dot.state.tx.us/pub/txdot-info/safety/labor_day/fact.pdf (accessed August 30, 2012).

² Sections 12.35 and 49.045, P.C.

³ Sections 12.22 and 49.04, P.C.

⁴ *Id.*

⁵ Section 521.344, T.C.; But see, Article 42.12, Section 13(k), C.C.P.

⁶ Sections 12.21 and 49.09, P.C.

⁷ *Id.*

⁸ *See*, n. 5.

⁹ Sections 12.34 and 49.09, P.C.

¹⁰ *Id.*

¹¹ *See*, n. 5.

¹² *See*, n. 1; Section 521.246, T.C.; Article 17.441, C.C.P. (condition of release from jail on bond requiring motor vehicle ignition interlock).

¹³ Mark Agee, *Driving Drunk Can Take a Financial Toll*, Texas District and County Attorneys Association forum, <http://tdcaa.infopop.net/eve/forums/a/tpc/f/157098965/m/2741000241?r=1111030241-1111030241> (accessed August 30, 2012).

¹⁴ Section 521.246, T.C.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Texas Department of Public Safety, Driver Responsibility Program, <http://www.txdps.state.tx.us/DriverLicense/drp.htm> (accessed August 30, 2012).