



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.

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 \$2,000² • Up to 180 days in jail³ • Loss of driver’s license for not less than 90 days or more than one year⁴ <p>Second Offense*</p> <ul style="list-style-type: none"> • A fine of up to \$4,000⁵ • Up to one year in jail⁶ • Loss of driver’s license for one year⁷ <p>Third Offense*</p> <ul style="list-style-type: none"> • A fine of up to \$10,000⁸ • Two to ten years in prison⁹ • 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 years¹⁰ <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.¹¹ This costs \$54-\$150 to install and \$600-\$2,800 in monthly fees¹²</p>
Bail	\$185 - \$5000 ¹³
Attorney’s fees	\$275 - \$10,000 ¹⁴
Court costs	\$25 - \$1500 ¹⁵
Court-ordered classes	\$25 - \$185 ¹⁶
Vehicle towing and impoundment	\$30 - \$350 ¹⁷
Hearing to regain driver’s license	\$125 - \$1,937 (includes attorney fees) ¹⁸
SR-22 Insurance	\$75 - \$2,400 ¹⁹
Ankle monitor	Up to \$4,500 (\$375 per month for 12 months) ²⁰

Texas Department of Public Safety Driver Responsibility Program Surcharge ²¹	<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
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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, Retrieved August 30, 2012, from http://ftp.dot.state.tx.us/pub/txdot-info/safety/labor_day/fact.pdf (hereinafter referred to as TxDOT Labor Day 2011).

² Tex. Penal Code § 12.22

³ *Id.*

⁴ Tex. Transp. Code § 521.344; But see Tex. Code Crim. P. art. 42.12, § 13(k)

⁵ Tex. Penal Code § 12.21

⁶ *Id.*

⁷ See endnote 4

⁸ Tex. Penal Code § 12.34

⁹ *Id.*

¹⁰ See endnote 4

¹¹ See TxDOT Labor Day 2011 – endnote 1; Tex. Transp. Code § 521.246; Tex. Code Crim. P. art. 17.441 (condition of release from jail on bond requiring motor vehicle ignition interlock).

¹² Texas District and County Attorneys Association, *Driving Drunk Can Take a Financial Toll*, Retrieved August 30, 2012, from <http://tdcaa.infopop.net/eve/forums/a/tpc/f/157098965/m/2741000241?r=1111030241-1111030241> (hereinafter referred to as *Driving Drunk Can Take a Financial Toll*); Tex. Trans. Code 521.246.

¹³ See *Driving Drunk Can Take a Financial Toll* – endnote 3

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ Texas Department of Public Safety, Driver Responsibility Program, Retrieved August 30, 2012, from <http://www.txdps.state.tx.us/DriverLicense/drp.htm>.