

Kansas DUI Laws

In Kansas, it is against the law to drive or attempt to operate a motor vehicle while having a blood or breath alcohol concentration (BAC) of .08 or above. If you break this law, you have a lot to lose.

INVOLUNTARY MANSLAUGHTER

The Kansas Legislature passed stiffer penalties effective July 1, 1996, for those convicted of involuntary manslaughter while driving under the influence. If sentenced under this law, you will likely receive imprisonment, ranging from 38 to 172 months. A new law passed in 2001 amends the criminal history classification law dealing with the crime of involuntary manslaughter while driving under the influence of alcohol or drugs to provide that a prior DUI violation of another state's law of a city ordinance or county resolution shall count for criminal history purposes as a person felony.

DUI WITH CHILD UNDER 14

Any person convicted of a DUI who has a child under 14 years of age as a passenger shall have their punishment enhanced by one month of imprisonment. The enhanced imprisonment must be served consecutively to any other penalty.

FIRST DUI OFFENSE

You will receive 48 hours of mandatory imprisonment or 100 hours of community service and must complete a court ordered alcohol and drug safety action education program and/or treatment program (at your expense). In addition, you will be fined \$500 to \$1,000 plus court costs, probation and evaluation fees.

Your driving privileges will be suspended for 30 days, then restricted for an additional 330 days.

Your vehicle can be impounded for up to one year.

SECOND DUI OFFENSE

You will receive 90 days to one year imprisonment and will be fined \$1,000 to \$1,500 plus court costs, probation and evaluation fees.

You must complete the court ordered treatment program for alcohol and drug abuse (at your expense).

Your driving privileges will be suspended for one year. After a one-year suspension of driving privileges is completed, you are restricted to driving only a motor vehicle equipped with an ignition interlock device for one year. This mechanism makes it impossible for anyone who is intoxicated to start the motor vehicle. Proof of such device's installation and use shall be provided to the Division of Motor Vehicles before driving privileges are fully reinstated.

Your vehicle can be impounded for up to one year.

THIRD DUI OFFENSE

You will be charged with a felony offense, receive 90 days to one year imprisonment and be fined \$1,500 to \$2,500 plus court costs, probation and evaluation fees.

You must complete the court ordered treatment program for alcohol and drug abuse (at your expense).

Your driving privileges will be suspended for one year. After a one-year suspension of driving privileges is completed, you are restricted to driving only a motor vehicle equipped with an ignition interlock device for one year. Proof of such device's installation and use shall be provided to the Division of Motor Vehicles before driving privileges are fully reinstated.

Your vehicle can be impounded for up to one year.

FOURTH DUI OFFENSE

You will be charged with a felony offense, receive 90 days to one year imprisonment and be fined \$2,500 plus court costs, probation and evaluation fees.

You must complete the court ordered treatment program for alcohol and drug abuse (at your expense).

Your driving privileges will be suspended for one year. Any court may revoke a person's license plate or temporary registration for a period of one year. After a one-year suspension of driving privileges is completed, you are restricted to driving only a motor vehicle equipped with an ignition interlock device for one year. Proof of such device's installation and use shall be provided to the Division of Motor Vehicles before driving privileges are fully reinstated.

At the end of the incarceration/work release program, you will be placed in the custody of the Secretary of the Kansas Department of Corrections for a one-year period of post-release supervision which shall be required to include completion of a drug/alcohol treatment program (at your expense).

Your vehicle can be impounded for up to one year.

FIFTH AND SUBSEQUENT DUI OFFENSE

You will be charged with a felony offense, receive 90 days to one year imprisonment and be fined \$2,500 plus court costs, probation and evaluation fees.

Your driving privileges will be permanently revoked.

At the end of the incarceration/work release program, you will be placed in the custody of the Secretary of the Kansas Department of Corrections for a one-year period of post-release supervision which shall be required to include completion of a drug/alcohol treatment program (at your expense).

*** All Information intended for educational purposes only.**

*** Administrative actions are the responsibility of Department of Revenue. Questions call 785-296-3671.**