



DUI Central Court

Lancaster County DUI Central Court is the centralized Magisterial District Court for all criminal cases involving Driving Under the Influence (DUI) charges. The following is a summary of the options available to all defendants at DUI Central Court. This is not legal advice and individuals are encouraged to seek counsel.

1. **Accelerated Rehabilitative Disposition Program (ARD)**

The ARD Program provides first time offenders the ability to receive a lesser license suspension, clear their criminal record and avoid serving a jail sentence.

In order to apply for ARD you must first waive your preliminary hearing. You will then be directed to ARD representatives from the District Attorney's Office and Probation and Parole where you will complete the required ARD application and receive your pre-admission ARD requirements. Your driver's license and proof of insurance will be required.

This option is **only available if you have not had a DUI offense within the past 10 years**, subject to the ARD Rules of the Office of the District Attorney of Lancaster County. (See ARD Pamphlet).

2. **Waiver of Preliminary Hearing**

You may waive your right to a preliminary hearing, and consent to have the charges move forward into the Court of Common Pleas for final disposition (i.e. ARD, Guilty Plea, Trial). This is **required** if you are seeking admission into ARD.

3. **Guilty Plea**

If you are not eligible for ARD, and you are charged with a **first offense** DUI where there are no injuries or property damage in excess of \$500, or children under the age of 18 in the vehicle, you are able to plead guilty at DUI Central Court.

For guilty pleas entered at DUI Central Court, offenders will be eligible to receive a **one-time offer** of house arrest instead of jail time. These plea offers will include all required fines and conditions (see reverse side), and instead of incarceration will be as follows:

Tier 1 Offenses – 6 Months Probation

Tier 2 Offenses – 6 Months Intermediate Punishment, first 15 days served on house arrest with electronic monitoring, and the remainder of the 6 months on parole.

Tier 3 Offenses – 6 Months Intermediate Punishment, first 21 days served on house arrest with electronic monitoring, and the remainder of the 6 months on parole.

4. **Preliminary Hearing**

You may request that the Court hold a preliminary hearing where it will determine if there is sufficient evidence for the case to move on to the next level of court. Hearings will be held two weeks after the request is made, and all parties and witnesses will be required to appear.

5. **Continuance**

Individuals may request a continuance for good cause shown.

DUI Tiers and Mandatory Minimum Penalties

OFFENSE	FIRST	SECOND	THIRD AND SUBSEQUENT
<input type="checkbox"/> TIER 1	6 Months Probation \$300 Fine CRN Evaluation Drug & Alcohol Evaluation and Treatment	5 Days – 6 Months Incarceration \$300 - \$2,500 Fine 12 Month License Suspension 12 Month Ignition Interlock Act 24 of 2004 Treatment CRN Evaluation Drug & Alcohol Evaluation and Treatment	10 Days – 2 Years Incarceration \$500 - \$5,000 Fine 12 Month License Suspension 12 Month Ignition Interlock Act 24 of 2004 Treatment CRN Evaluation Drug & Alcohol Evaluation and Treatment
<input type="checkbox"/> TIER 2	48 Hours – 6 Months Incarceration \$500 - \$5,000 Fine 12 Mos. License Suspension CRN Evaluation Drug & Alcohol Evaluation and Treatment	30 Days – 6 Months Incarceration \$750 - \$5,000 Fine 12 Month License Suspension 12 Month Ignition Interlock Act 24 of 2004 Treatment CRN Evaluation Drug & Alcohol Evaluation and Treatment	90 Days – 5 Years Incarceration \$1,500 - \$10,000 Fine 18 Month License Suspension 12 Month Ignition Interlock Act 24 of 2004 Treatment CRN Evaluation Drug & Alcohol Evaluation and Treatment
<input type="checkbox"/> TIER 3	72 Hours – 6 Months Incarceration \$1,000 - \$5,000 Fine 12 Mos. License Suspension CRN Evaluation Drug & Alcohol Evaluation and Treatment	90 Days – 5 Years Incarceration \$1,500 - \$10,000 Fine 18 Month License Suspension 12 Month Ignition Interlock Act 24 of 2004 Treatment CRN Evaluation Drug & Alcohol Evaluation and Treatment	1 Year – 5 Years Incarceration \$2,500 - \$10,000 Fine 18 Month License Suspension 12 Month Ignition Interlock Act 24 of 2004 Treatment CRN Evaluation Drug & Alcohol Evaluation and Treatment

Offense Tiers:

Tier 1: BAC of .08 - .099%

Tier 2: BAC of .10 - .0159% / Crash Resulting in Property Damage or Personal Injury / Minors / Commercial Vehicles

Tier 3: BAC of .16% of higher / Drug Impaired Driving / Refusal to Submit to Chemical Testing

Additional Penalties for Occupant Under the Age of 18: Offenses are graded as misdemeanors of the first degree and carry a 5 year maximum sentence.

First Offense: Additional \$1,000 fine and 100 hours of community service.

Second Offense: Additional \$2,500 fine and an additional 1 to 6 months incarceration.

Third Offense: Additional 6 months to 2 years incarceration.