

## Idaho State and Civil Alcohol Penalties

Offense	Penalty
<b>MINORS -- PURCHASE, CONSUMPTION OR POSSESSION PROHIBITED:</b> Any person under twenty-one (21) years of age who shall purchase, attempt to purchase, or otherwise consume or possess any alcohol beverage, including any distilled spirits, beer or wine. 23-604	Guilty of a misdemeanor and shall be punished according to the schedule set out in section 18-1502, Idaho Code. 23-604
<b>DISPENSING TO A PERSON UNDER THE AGE OF TWENTY-ONE YEARS:</b> Any person who is eighteen (18) years of age or older who shall sell, give, or furnish, or cause to be sold, given, or furnished, alcohol beverage, including any distilled spirits, beer or wine, to a person under the age of twenty-one (21) years. 23-603	Guilty of a misdemeanor and upon conviction thereof may be punished by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) per violation, or by imprisonment in the county jail for a period not to exceed one (1) year, or by both such fine and imprisonment. 23-603
<b>DISPENSING TO A PERSON UNDER THE AGE OF TWENTY-ONE YEARS:</b> A second or subsequent violation of this section by the same defendant. Notwithstanding the provisions of section 19-4705, Idaho Code, moneys received pursuant to such fines shall be deposited in the substance abuse treatment fund, as created in section 23-408, Idaho Code. 23-603	Misdemeanor and upon conviction thereof the defendant shall be punished by a fine of not less than one thousand dollars (\$1,000) nor more than two thousand dollars (\$2,000) per violation, or imprisonment in the county jail for a period not to exceed one (1) year, or by both such fine and imprisonment. 23-603
<b>MOTOR VEHICLE:</b> Any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(a), for the first time, but who has an alcohol concentration of 0.20, as defined in section 18-8004(4), or more, as shown by an analysis of his blood, breath or urine by a test requested by a police officer. 18-8004C-1	Guilty of a misdemeanor; and: (a) Shall be sentenced to jail for a mandatory minimum period of not less than ten (10) days, the first forty-eight (48) hours of which must be consecutive, and may be sentenced to not more than one (1) year; (b) May be fined an amount not to exceed two thousand dollars (\$2,000); (c) Shall be advised by the court in writing at the time of sentencing, of the penalties that will be imposed for subsequent violations, which advice shall be signed by the defendant, and a copy retained by the court and another copy retained by the prosecuting attorney; (d) Shall surrender his driver's license or permit to the court; (e) Shall have his driving privileges suspended by the court for an additional mandatory minimum period of one (1) year after release from confinement, during which one (1) year period absolutely no driving privileges of any kind may be granted. 18-8004C-1
<b>MOTOR VEHICLE:</b> Any person who pleads guilty to or is found guilty of a violation, and who has an alcohol concentration of 0.20, or more, as shown by an analysis of his blood, breath or urine by a test requested by a police officer, and who previously has been found guilty of or has pled guilty to one (1) or more violations in which the person had an alcohol concentration of 0.20 or more, or any substantially conforming foreign criminal violation wherein the defendant had an alcohol concentration of 0.20 or more, or any combination thereof, within five (5) years, notwithstanding the form of judgment or withheld judgment. 18-8004C-2	Guilty of a felony; and: (a) Shall be sentenced to the custody of the state board of correction for a term not to exceed five (5) years; provided that notwithstanding the provisions of section 19-2601, should the court impose any sentence other than incarceration in the state penitentiary, the defendant shall be sentenced to the county jail for a mandatory minimum period of not less than thirty (30) days; and further provided that notwithstanding the provisions of section 18-111, a conviction under this section shall be deemed a felony; (b) May be fined an amount not to exceed five thousand dollars (\$5,000); (c) Shall surrender his driver's license or permit to the court; (d) Shall have his driving privileges suspended by the court for a mandatory minimum period of one (1) year after release from imprisonment, and may have his driving privileges suspended by the court for a period not to exceed five (5) years after release from imprisonment, during which time he shall have absolutely no driving privileges of any kind; and (e) Shall, while operating a motor vehicle, be required to drive only a motor vehicle equipped with a functioning ignition interlock system, following the mandatory license suspension period. 18-8004C-2
For more information <a href="https://legislature.idaho.gov/idstat/Title23/T23CH6SECT23-603.htm">https://legislature.idaho.gov/idstat/Title23/T23CH6SECT23-603.htm</a> <a href="https://legislature.idaho.gov/idstat/Title18/T18CH80SECT18-8004C.htm">https://legislature.idaho.gov/idstat/Title18/T18CH80SECT18-8004C.htm</a>	