

Case Name: _____ **Cause No.:** _____
案件名称: _____ **案件编号:** _____

“DUI Attachment”: Driving under the influence of alcohol and/or actual physical control of a vehicle while under the influence of alcohol and/or drugs. (If required, attach to *Statement of Defendant on Plea of Guilty*.)

“DUI 附件”: 酒后驾驶和/或在酒精和/或药物影响下实际控制车辆。(如果需要, 请附上被告关于认罪的陈述。)

Court DUI Sentencing Grid (RCW 46.61.5055 as amended by statute effective Jan. 1, 2022.)
法院 DUI 量刑表 (RCW 46.61.5055, 经法规修订, 于 2022 年 1 月 1 日生效。)

BAC Result < .15 or No Test Result BAC 结果 < .15 或无测试结果	No Prior Offense¹ 无前科¹	One Prior Offense¹ 一项前科¹	Two Prior Offenses¹ 两项前科¹
Mandatory Minimum/Maximum Jail Time² 强制性最短/最长监禁时间²	24 Consecutive Hours/364 Days 连续 24 小时/364 天	30/364 Days 30/364 天	90/364 Days 90/364 天
Each Passenger Under Age 16, Mandatory Jail 每位 16 岁以下的乘客, 强制监禁	Additional 24 Hours Consecutive 增加连续 24 小时	Additional 5 Days Consecutive 增加连续 5 天	Additional 10 Days Consecutive 增加连续 10 天
EHM or Jail Alternative² EHM 或监禁替代方案²	15 Days in Lieu of Jail 以其他方式替代 15 天监禁	60 Days Mandatory 60 天强制	120 Days Mandatory/8 Days Jail Min. 120 天强制/至少 8 天监禁。
Alternative to Mandatory Jail + EHM 强制监禁 + EHM 替代方案	N/A 不适用	180 Days EHM ² or 120 days of 24/7 sobriety program monitoring 180 天 EHM ² 或 120 天 24/7 清醒计划监控	360 Days EHM ² or 360 days of 24/7 sobriety program monitoring 360 天 EHM ² 或 360 天 24/7 清醒计划监控
Mandatory Minimum/Maximum Fine^{3***} 强制最低/最高罚款^{3***}	\$990.50/\$5,000 \$990.50/\$5,000	\$1,245.50/\$5,000 \$1,245.50/\$5,000	\$2,095.50/\$5,000 \$2,095.50/\$5,000
If Passenger Under Age 16, Minimum/Maximum Range^{4***} 如果乘客未满 16 岁, 则最低/最大范围^{4***}	\$1,000/\$1,000-\$5,000 + assessments \$1,000/\$1,000-\$5,000 + 评估	\$1,000/\$2,000-\$5,000 + assessments \$1,000/\$2,000-\$5,000 + 评估	\$1,000/\$3,000-\$10,000 + assessments \$1,000/\$3,000-\$10,000 + 评估
Driver's License^{**} 驾驶执照^{**}	90-Day Suspension ⁵ 90 天暂停 ⁵	2-Year Revocation ⁵ 2 年吊销 ⁵	3-Year Revocation 3 年吊销
Each Passenger Under Age 16, II Device	Additional 12 Months 增加 12 个月	Additional 12 Months 增加 12 个月	Additional 12 Months 增加 12 个月

每位 16 岁以下的乘客, II 设备			
24/7 Sobriety Program ² 24/7 清醒计划 ²	If available 如果有	If available 如果有	If available 如果有
Alcohol/Drug Ed./Victim Impact or Treatment 酒精/药物教育/受害者影响或治疗	As Ordered 按照命令	As Ordered 按照命令	As Ordered 按照命令
Expanded Substance Use Disorder Assessment/Treatment 全面药物滥用障碍评估/治疗	N/A 不适用	Mandatory/treatment if appropriate 如果适用, 强制/治疗	Mandatory/treatment if appropriate 如果适用, 强制/治疗
II Device II 设备	DOL imposed in all cases. 在所有案件中, DOL 都会采取措施。		
BAC Result $\geq$.15 or Test Refusal BAC 结果 $\geq$.15 或拒绝接受测试	No Prior Offense¹ 无前科¹	One Prior Offense¹ 一项前科¹	Two Prior Offenses¹ 两项前科¹
Mandatory Minimum/Maximum Jail Time ² 强制性最短/最长监禁时间 ²	48 Consecutive Hours/364 Days 连续 48 小时/364 天	45/364 Days 45/364 天	120/364 Days 120/364 天
Each Passenger Under Age 16, Mandatory Jail 每位 16 岁以下的乘客, 强制监禁	Additional 24 Hours Consecutive 增加连续 24 小时	Additional 5 Days Consecutive 增加连续 5 天	Additional 10 Days Consecutive 增加连续 10 天
EHM or Jail Alternative ² EHM 或监禁替代方案 ²	30 Days in Lieu of Jail 以其他方式替代 30 天监禁	90 Days Mandatory 90 天强制	150 Days Mandatory/10 Days Jail Min. 150 天强制/至少 10 天监禁。
Alternative to Mandatory Jail + EHM 强制监禁 + EHM 替代方案	N/A 不适用	6 Months EHM ² or 120 days of 24/7 sobriety program monitoring 6 个月 EHM ² 或 120 天 24/7 清醒计划监控	360 days EHM ² or 360 days of 24/7 sobriety program monitoring 360 天 EHM ² 或 360 天 24/7 清醒计划监控
Mandatory Minimum/Maximum Fine ^{3***} 强制最低/最高罚款 ^{3***}	\$1,245.50/\$5,000 \$1,245.50/\$5,000	\$1,670.50/\$5,000 \$1,670.50/\$5,000	\$2,945.50/\$5,000 \$2,945.50/\$5,000
If Passenger Under Age 16, Minimum/ Maximum Range ^{4***}	\$1,000/\$1,000-\$5,000 + assessments	\$1,000/\$2,000-\$5,000 + assessments	\$1,000/\$3,000-\$10,000 + assessments

如果乘客未满 16 岁, 则 最低/最大范围 ^{4***}	\$1,000/\$1,000- \$5,000 + 评估	\$1,000/\$2,000- \$5,000 + 评估	\$1,000/\$3,000- \$10,000 + 评估
Driver's License** 驾驶执照**	1-Year Revocation ⁵ 1 年吊销 ⁵ 2 Years if BAC refused 如果拒绝 BAC, 2 年	900-Days Revocation 900 天吊销 3 Years if BAC refused 如果拒绝 BAC, 3 年	4-Year Revocation 4 年吊销
Each Passenger Under Age 16, II Device 每位 16 岁以下的乘客, II 设备	Additional 18 Months 增加 18 个月	Additional 18 Months 增加 18 个月	Additional 18 Months 增加 18 个月
24/7 Sobriety Program ² 24/7 清醒计划 ²	If available 如果有	If available 如果有	If available 如果有
Alcohol/Drug Ed./Victim Impact or Treatment 酒精/药物教育/受害者影 响或治疗	As Ordered 按照命令	As Ordered 按照命令	As Ordered 按照命令
Expanded Substance Use Disorder Assessment/Treatment 全面药物滥用障碍评估/治 疗	N/A 不适用	Mandatory/treatment if appropriate 如果适用, 强制治 疗	Mandatory/treatment if appropriate 如果适用, 强制治 疗

* See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 5.
请参阅法院和证照局(DOL)点火联锁要求, 第 5 页。

** Driver's license minimum suspension/revocation. See note 5 for exceptions. DOL may impose more.

驾驶执照最低暂停/吊销。请参阅注释 5 了解例外情况。DOL 可能会施加更严厉的处罚。

*** Mandatory Minimum fines may be reduced, waived, or suspended if defendant is indigent, as provided by law.

如果被告贫困, 则可依法减少、免除或暂停强制最低罚款。

¹ **Prior Offenses:** Count all prior offenses where the arrest date of the prior offense occurred within 7 years before or after the arrest date of the current offense. RCW 46.61.5055(14)(c).

"Prior offense" is defined by RCW 46.61.5055(14)(a) to include—

前科: 计算前科逮捕日期发生在当前犯罪逮捕日期前后 7 年内的所有前科。RCW 46.61.5055(14)(c)。RCW 46.61.5055(14)(a) 定义的“前科”包括——

- **Original Convictions** (including equivalent local ordinances) for: (1) Driving Under the Influence (DUI) (RCW 46.61.502) or an equivalent out-of-state conviction; (2) Physical Control of a Vehicle under the Influence (Physical Control) (RCW 46.61.504) or an equivalent out-of-state conviction; (3) Commercial Vehicle DUI/Physical Control (RCW 46.25.110); (4) Watercraft DUI (RCW 79A.60.040(2)); (5) Aircraft DUI (RCW 47.68.220); (6) Nonhighway vehicle DUI (RCW 46.09.470(2)); and (7) Snowmobile DUI (RCW 46.10.490(2)).

针对以下罪行的**原定罪**, 包括同等的地方法令: (1) 酒后驾车(DUI)(RCW 46.61.502)或同等的州外定罪; (2) 酒后实际控制车辆(实际控制)(RCW 46.61.504)或同等的州外定罪; (3) 商用

车酒驾/实际控制(RCW 46.25.110); (4)船舶 DUI (RCW 79A.60.040(2)); (5) 飞机 DUI (RCW 47.68.220); (6) 非公路车辆 DUI (RCW 46.09.470(2)); (7) 雪地车 DUI (RCW 46.10.490(2))。

- **Amended Convictions** for: (1) **Originally charged with** DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504) or an equivalent local ordinance, or Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522); **but convicted of** Negligent Driving 1st (RCW 46.61.5249), Reckless Driving (RCW 46.61.500), or Reckless Endangerment (RCW 9A.36.050) or an equivalent local ordinance. This section also applies for equivalent out-of-state convictions; (2) **Originally charged with** Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug; **but convicted of** Vehicular Homicide or Vehicular Assault committed in a reckless manner or with the disregard for the safety of others; (3) **Originally charged with** Watercraft DUI (RCW 79A.60.040(2) or an equivalent local ordinance, **but convicted of** Operating a Watercraft in a reckless manner (RCW 79A.60.040(1)) or an equivalent local ordinance; (4) **Originally charged with** Aircraft DUI (RCW 47.68.220) or an equivalent local ordinance, but convicted of Operating an Aircraft in a careless or reckless manner (RCW 47.68.220) or an equivalent local ordinance.

对以下情况的修正定罪: (1)最初被指控为 DUI (RCW 46.61.502) 或实际控制(RCW 46.61.504)或违反同等地方条例, 或车辆过失杀人罪(RCW 46.61.520)或车辆过失伤害罪(RCW 46.61.522); 但被判犯有第一类疏忽驾驶(RCW 46.61.5249)、鲁莽驾驶(RCW 46.61.500)或鲁莽危害安全(RCW 9A.36.050)或违反同等地方条例。本节也适用于同等的州外定罪; (2)最初被控在醉酒或任何药物影响下犯有车辆过失杀人罪(RCW 46.61.520)或车辆过失伤害罪(RCW 46.61.522); 但被判犯有鲁莽或无视他人安全的车辆过失杀人罪或车辆过失伤害罪; (3)最初被指控船只 DUI (RCW 79A.60.040(2)或违反同等地方条例, 但被定罪鲁莽地操作船只(RCW 79A.60.040(1))或违反同等地方条例; (4)最初被指控飞机 DUI (RCW 47.68.220)或违反同等地方条例, 但被定罪粗心或鲁莽操作飞机(RCW 47.68.220)或违反同等地方条例。

- **Deferred Prosecution Granted** for: (1) Driving Under the Influence (DUI) (RCW 46.61.502), including local and out-of-state equivalents; (2) Physical Control of a Vehicle under the influence (Physical Control) (RCW 46.61.504), including local and out-of-state equivalents; (3) Negligent Driving 1st (RCW 46.61.5249) or equivalent local ordinance if the charge under which the deferred prosecution was granted was originally filed as a violation of DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504), or an equivalent local ordinance, or Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522); and (4) an equivalent out-of-state deferred prosecution for DUI or Physical Control, including a substance use disorder treatment program (RCW 46.61.5055(14)(a)(xvi)).

批准延期以下起诉: (1)酒后驾驶(DUI)(RCW 46.61.502), 包括本地和州外的同等规定; (2)酒后实际控制车辆(实际控制)(RCW 46.61.504), 包括本地和州外的同等规定; (3)第一类疏忽驾驶(RCW 46.61.5249)或违反同等地方条例, 如果准予延期起诉的最初指控是 DUI (RCW 46.61.502)或实际控制(RCW 46.61.504)或违反同等地方条例, 或车辆过失杀人罪(RCW 46.61.520)或车辆过失伤害罪(RCW 46.61.522); 以及(4)对 DUI 或实际控制的同等州外延期起诉, 包括药物滥用障碍治疗计划(RCW 46.61.5055(14)(a)(xvi))。

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in RCW 46.61.5055(14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing.

如果基于对 RCW 46.61.5055(14)(a)所列罪行的后续定罪而撤销暂缓起诉, 则在量刑时, 后续定罪不得被视为已撤销暂缓起诉的前科。

- **Deferred Sentences** for: Originally charged with DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504) or an equivalent local ordinance, or Vehicular Homicide (RCW 46.61.520)

or Vehicular Assault (RCW 46.61.522); but deferred sentence was imposed for: Negligent Driving 1st (RCW 46.61.5249), Reckless Driving (RCW 46.61.500), Reckless Endangerment (RCW 9A.36.050), or an equivalent local ordinance.

延期判决，适用于：最初被控 DUI (RCW 46.61.502) 或实际控制 (RCW 46.61.504) 或违反同等地方条例，或车辆过失杀人罪 (RCW 46.61.520) 或车辆过失伤害罪 (RCW 46.61.522)；但延期判决，适用于第一类疏忽驾驶 (RCW 46.61.5249)、鲁莽驾驶 (RCW 46.61.500) 或鲁莽危害安全 (RCW 9A.36.050) 或违反同等地方条例。

² Mandatory Jail, Electronic Home Monitoring (EHM), and 24/7 Sobriety Program:

强制监禁、电子居家监控 (EHM) 和 24/7 清醒计划:

- **No prior offenses:** Where there are no prior offenses with an arrest date within 7 years before or after the arrest date of the current offense, the mandatory imprisonment may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The court may grant EHM instead of mandatory minimum jail. Instead of jail time or EHM in lieu of jail time, and when the alcohol concentration is (1) less than 0.15, the court may order a 90-day period of 24/7 sobriety program monitoring or (2) at least 0.15, the court may order a 120-day period of 24/7 sobriety program monitoring.

无前科：如果当前罪行的逮捕日期前后 7 年内没有前科的逮捕记录，则不得缓刑强制监禁，除非法院认为判处这一强制性最低刑罚会对罪犯的身心健康造成重大风险。法院可以准予 EHM，而不是强制最低监禁。除了监禁或以 EHM 代替监禁，当酒精浓度 (1) 低于 0.15 时，法院可下令进行为期 90 天的 24/7 清醒计划监控，或 (2) 至少为 0.15 时，法院可下令进行为期 120 天的 24/7 清醒计划监控。

- **One prior offense:** Where there is 1 prior offense with an arrest date within 7 years before or after the arrest date of the current offense, the mandatory imprisonment and EHM may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. In lieu of the mandatory term of imprisonment and EHM, when alcohol concentration is (1) less than 0.15, the court may order a minimum of either 180 days of EHM or a 120-day period of 24/7 sobriety program monitoring or (2) at least 0.15, the court may order a minimum either 6 months of EHM or a 120-day period of 24/7 sobriety program monitoring, or a 120-day ignition interlock device requirement, or both.

一项前科：如果有一项前科且逮捕日期在当前犯罪逮捕日期之前或之后 7 年内，则不得缓刑强制监禁和 EHM，除非法院认为判处这一强制性最低刑罚会对罪犯的身心健康造成重大风险。代替强制监禁期限和 EHM，当酒精浓度 (1) 低于 0.15 时，法院可以下令至少 180 天的 EHM 或为期 120 天的 24/7 清醒计划监控，或 (2) 至少 0.15，法院可以下令至少 6 个月的 EHM 或 120 天的 24/7 清醒计划监控，或 120 天点火联锁装置要求，或两者兼而有之。

- **Two prior offenses:** If there are 2 prior offenses with an arrest date within 7 years before or after the arrest date of the current offense, the mandatory jail shall be served by imprisonment for the minimum statutory term and may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. In lieu of the mandatory minimum term of imprisonment and EHM the court may order a minimum of either 360 days of EHM or 360-day period of 24/7 sobriety program and monitoring. If the 24/7 sobriety program is available, the court shall order 6-month 24/7 sobriety program monitoring, or a 6-month ignition interlock device requirement, or both.

两项前科：如果在当前罪行的逮捕日期前后 7 年内有 2 项前科，则应判处强制监禁，并判处最低法定刑期，并且不得缓刑，除非法院认为判处这一强制性最低刑期会对罪犯的身心健康造成重大风险。法院可以下令至少 360 天的 EHM 或 360 天的 24/7 清醒计划监控，以代替强

制性最低监禁期限和 EHM。如果有 24/7 清醒计划，法院应下令进行为期 6 个月的 24/7 清醒计划监控，或要求 6 个月的点火联锁装置，或两者兼而有之。

- **II Device:** A sentence imposed for driving without an ignition interlock device (IID), installed as required or for circumventing an IID, must be consecutive to any sentence imposed for DUI or Physical Control. RCW 46.20.740; RCW 46.20.750.

II 设备: 因驾驶时未按要求安装点火联锁装置(IID)或规避 IID 而判处的刑罚必须与因酒后驾车或实际控制而判处的刑罚连续执行。RCW 46.20.740; RCW 46.20.750。

- The 24/7 sobriety program is a program which requires tests of the defendant's blood, breath, urine, or other bodily substances to find out if there is alcohol, marijuana, or any controlled substance in their body. Testing must take place at designated location(s). The defendant may be required to pay the fees and costs for the program. RCW 46.61.5055(1), (2), (3), (5); RCW 36.28A.330.

24/7 清醒计划是一项要求对被告的血液、呼吸、尿液或其他身体物质进行测试，以查明其体内是否含有酒精、大麻或任何受管制物质的计划。测试必须在指定地点进行。被告可能需要支付该计划的费用和成本。RCW 46.61.5055(1)、(2)、(3)、(5); RCW 36.28A.330。

Mandatory Conditions of Probation for any Suspended Jail Time: The individual is not to: (1) drive a motor vehicle without a valid license to drive, (2) drive a motor vehicle without proof of liability insurance or other financial responsibility (SR 22), (3) drive or be in physical control of a vehicle while having an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher within 2 hours after driving, (4) refuse to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drug, (5) drive a motor vehicle without a functioning ignition interlock device as required by DOL. For each violation of the above mandatory conditions, the court shall order a minimum of 30-days confinement, which may not be suspended or deferred. For each incident involving a violation, the court shall suspend the license for 30 days. RCW 46.61.5055(11). Courts are required to report violations of mandatory conditions requiring confinement or license suspension to DOL. RCW 46.61.5055.

任何缓刑监禁的强制缓刑条件: 个人不得:

(1) 在没有有效驾驶执照的情况下驾驶机动车辆, (2) 在没有责任保险或其他经济责任证明的情况下驾驶机动车辆(SR 22), (3) 在血液酒精浓度达到.08 或以上, 或血液中四氢大麻酚浓度达到每毫升 5.00 纳克或以上的情况下驾驶或实际控制机动车 (驾驶后 2 小时内), (4) 当执法人员有合理理由相信该人在醉酒或药物的影响下驾驶或实际控制汽车时, 他或她拒绝接受呼气或血液测试以确定酒精或药物浓度, (5) 驾驶未按 DOL 要求安装点火联锁装置的机动车辆。对于每次违反上述强制性条件的行为, 法院应判处至少 30 天的监禁, 且不得暂停或推迟。对于每一起违规事件, 法院应暂停驾照 30 天。RCW 46.61.5055(11)。法院必须向 DOL 报告违反强制性条件或暂停驾照的情况。RCW 46.61.5055。

- ³ **Mandatory Monetary Penalty:** Criminal Conviction Fee, RCW 3.62.085, shall not be imposed if the defendant is indigent as defined in RCW 10.101.010(3)(a)-(c). Fine, RCW 46.61.5055(1)-(3), mandatory minimum may not be suspended unless the defendant is indigent. PSEA 1, RCW 3.62.090(1) if applicable, shall not be suspended or waived; Alcohol Violators Fee, RCW 46.61.5054, may suspend all or part of fee if the defendant does not have ability to pay; Criminal Justice Funding (CJF) Penalty, RCW 46.64.055, may not be reduced, waived, or suspended unless the defendant is indigent (Note: RCW 3.62.090(1) and (2) apply to CJF penalty. If applicable, shall not be suspended or waived.) The court may order reimbursement of emergency response expenses. RCW 38.52.430.

强制性罚款： 如果被告属于 RCW 10.101.010(3)(a)-(c) 中定义的贫困，则不得征收刑事定罪费 (RCW 3.62.085)。除非被告被认定为贫困，否则 RCW 46.61.5055(1)-(3) 下的强制性最低罚款不得暂缓执行。PSEA 1

(RCW 3.62.090(1)) (如果适用) 不得暂缓执行或豁免；如果被告没有能力支付，则可以暂缓执行全部或部分 RCW 46.61.5054 下的酒精违规者费用；除非被告贫困，否则不得减少、免除或暂缓执行刑事司法资金(CJF) 处罚(RCW 46.64.055) (注：RCW 3.62.090(1) 和(2) 适用于 CJF 处罚。如果适用，不得暂缓执行或豁免。) 法院可以下令偿还紧急响应费用。RCW 38.52.430。

⁴ If Passenger Under Age 16: The interpretation of RCW 46.61.5055(6), regarding the fines, is unsettled. Some interpret it as setting a new mandatory minimum and maximum fine, replacing a fine in RCW 46.61.5055(1) – (3). Some interpret it as setting a fine that is in addition to one of those fines. Apply applicable assessments. The court may not suspend the minimum fine unless defendant is indigent.

如果乘客未满 16 岁： 关于 RCW 46.61.5055(6) 的解释尚未确定。有些人将其解释为设定了一个新的强制性最低和最高罚款金额，取代了 RCW 46.61.5055(1) – (3) 中规定的罚款。另一些人则将其解释为在这些罚款之外额外设定的罚款。应适用相关的评估。除非被告贫困，否则法院不得暂缓执行最低罚款。

⁵ Driver's License and 24/7 Sobriety Program:

驾照和 24/7 清醒计划：

If there are no prior offenses, and the person's alcohol concentration is:

如果没有前科，并且该人的酒精浓度为：

- less than 0.15, the person's driving privilege is suspended for 90 days or until the person is evaluated by a substance use disorder agency or probation department and completes or is enrolled in a 90-day period of 24/7 sobriety program monitoring. The license suspension must not be fewer than 2 days. RCW 46.61.5055(9).
低于 0.15，该人的驾驶权限将被暂停 90 天，或者直到该人接受药物滥用障碍机构或缓刑部门的评估，并完成或参加为期 90 天的 24/7 清醒计划监控。驾照暂停不得少于 2 天。RCW 46.61.5055(9)。
- at least 0.15, the person's driving privilege is revoked for 1 year or until the person is evaluated by a substance use disorder agency or probation department and completes or is enrolled in a 120-day period of 24/7 sobriety program monitoring. The license revocation must not be fewer than 4 days. RCW 46.61.5055(9).
至少 0.15，该人的驾驶权限将被吊销 1 年，或者直到该人接受药物滥用障碍机构或缓刑部门的评估，并完成或参加为期 120 天的 24/7 清醒计划监控。驾照吊销期限不得少于 4 天。RCW 46.61.5055(9)。

If there is 1 prior offense and the person's alcohol concentration is less than 0.15, the person's driving privilege is **revoked** for 2 years or until the person is evaluated by a substance use disorder agency or probation department **and** the person completes or is enrolled in a 6-month period of 24/7 sobriety program monitoring. In no circumstances shall the license **suspension** be for less than 1 year. RCW 46.61.5055(9).

如果有 1 项前科，且该人的酒精浓度低于 0.15，则该人的驾驶权限将被**吊销** 2 年，或者直到该人接受药物滥用障碍机构或缓刑部门的评估**并且**该人完成或参加为期 6 个月的 24/7 清醒计划监控。在任何情况下，驾照**暂停**的时间均不得少于 1 年。RCW 46.61.5055(9)。

Felony DUI and Felony Physical Control: A current offense is a Class B felony punished under ch. 9.94A RCW if the defendant has (1) 3 prior convictions within 10 years, or (2) 1 prior conviction of Vehicular Homicide or Vehicular Assault, or (3) a prior felony resulting from (1) or (2). "Within 10 years" means that the arrest for the prior offense occurred within 10 years before or after the arrest for the current offense. RCW 46.61.5055(14)(c).

DUI 重罪和实际控制重罪: 如果被告存在以下情形之一，则当前犯罪行为将依据 RCW 第 9.94A 章作为 B 级重罪予以处罚：(1) 在过去 10 年内有 3 次先前定罪记录；或(2)有 1 次先前的车辆过失杀人罪或车辆过失伤害罪的定罪记录；或(3)因上述第(1)或(2)项所列情形被判处重罪。“在过去 10 年内”是指，前科的逮捕时间发生在当前犯罪逮捕时间的前后 10 年以内。RCW 46.61.5055(14)(c)。

Jurisdiction: The court has 5 years jurisdiction.

管辖: 法院有 5 年管辖权。

Court and Department of Licensing (DOL) Ignition Interlock Requirements

(RCW 46.20.720 as amended by statute effective Jan. 1, 2022.)

法院和证照局(DOL)点火联锁要求

(RCW 46.20.720 经法规修订, 于 2022 年 1 月 1 日生效。)

Court Order to Comply with Rules and Requirements of DOL: The court orders the person to comply with the rules and requirements of DOL regarding the installation and use of a functioning ignition interlock device on all motor vehicles operated by the person. If the court orders the person to refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring and to pay for the monitoring unless the court specifies the cost will be paid with funds available from an alternative source identified by the court. RCW 46.61.5055(5).

遵守 DOL 规则 and 要求的法院命令: 法院命令此人遵守 DOL 关于在其操作的所有机动车辆上安装和使用有效点火联锁装置的规则和要求。如果法院命令该人不要饮酒, 法院可以命令该人接受酒精监测并支付监测费用, 除非法院指定费用将由法院确定的替代来源提供的资金支付。RCW 46.61.5055(5)。

DOL Ignition Interlock Device (IID) Requirements RCW 46.20.720

DOL 点火联锁装置(IID)要求 RCW 46.20.720

Restriction and duration:

限制和持续时间:

- **Post-conviction:** After any applicable period of suspension, revocation, or denial of driving privilege due to conviction for DUI, Physical Control, or an equivalent local or out-of-state statute or ordinance.

定罪后: 因 DUI、实际控制或违反同等的地方或州外法规或条例而定罪, 导致驾驶特权被暂停、撤销或被剥夺的任何适用期限后。

No Previous Restriction: 没有先前限制:	Previous 1-Year Restriction: 先前 1 年限制:	Previous 5-Year Restriction: 先前 5 年限制:
1 Year 1 年	5 Years 5 年	10 Years 10 年

- **Passenger Under Age 16:** DOL shall extend the ignition interlock restriction an additional 12 months or 18 months for each passenger under age 16 as required by RCW 46.61.5055(6)(a). RCW 46.20.720(3)(c). This period is in addition to any other ignition interlock device requirements imposed by the court or the Department of Licensing.

16 岁以下乘客: DOL 应根据 RCW 46.61.5055(6)(a) 的要求, 对于车内每一名未满 16 岁的乘客, 将点火联锁装置的使用限制期限额外延长 12 个月或 18 个月。RCW 46.20.720(3)(c)。除法院或证照局规定的任何其他点火联锁装置要求外, 还应遵守此期限。

- **Tolling:** For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person unless DOL determines the person is unable to operate an IID due to a physical disability.

暂停计算: 对于 2016 年 6 月 9 日或之后发生的事件, 如果个人未在其拥有或驾驶的车辆上安装 IID, 则暂停计算该限制的时间, 除非 DOL 认定该个人因身体残疾而无法操作 IID。

- **Court Order:** If the court orders that a person may drive only a motor vehicle equipped with a functioning IID, the court sets the duration of the restriction, up to the 5 years' jurisdictional limit of the court, and the alcohol set point. RCW 46.20.720(1)(e).

法院命令: 如果法院命令个人只能驾驶功能正常的 IID 的机动车辆, 则法院会设定限制期限 (最高可达法院 5 年的管辖期限) 并设定酒精浓度阈值。RCW 46.20.720(1)(e)。

Alcohol Set Point: Unless otherwise ordered, the alcohol set point for any IID shall be 0.020.
酒精浓度阈值: 除非另有规定, 任何 IID 的酒精浓度阈值均应为 0.020。

IID Costs: \$21 fee per month and any other costs associated with the use of an IID. DOL may waive the monthly fee if the person is indigent under RCW 10.101.010.

IID 费用: 每月\$21 的费用以及与使用 IID 相关的任何其他费用。如果该人根据 RCW 10.101.010 属于贫困, DOL 可免除月费。

Requirements for removal: Restriction effective until IID vendor certifies to DOL that none of the following occurred within 180 days prior to date of release: any attempt to start the vehicle with a BAC of .04 or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than .04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.020 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required; removal of the IID by a person other than an IID technician certified by the Washington State Patrol; and the IID was not tampered with in the manner described in RCW 46.20.750.

移除要求: 在 IID 供应商向 DOL 证明在解除日期之前的 180 天内没有发生以下任何情况之前, 限制一直有效: 在 BAC 为 .04 或更高的情况下尝试启动车辆, 除非在 10 分钟内再进行一次测试显示呼吸酒精浓度低于 .04, 并且数字图像确认同一个人提供了两个样本; 未进行任何随机测试, 除非对数字图像的审查确认在错过测试时车辆内没有驾驶员; 未通过呼吸酒精浓度为 0.020 或更低的任何随机重新测试, 除非在 10 分钟内再进行一次测试记录呼吸酒精浓度低于 0.020, 并且数字图像确认提供两个样本的是同一个人; 该人未根据要求前往 IID 供应商处; 由华盛顿州巡逻署认证的 IID 技术人员以外的人员移除 IID; 并且 IID 未被以 RCW 46.20.750 中描述的方式篡改。

Day-for-Day credit: All time during which a required IID is installed applies on a day-for-day basis toward a post-conviction IID requirement for the same incident. If day-for-day credit exceeds the post-conviction requirement, DOL may waive requirements.

逐日抵扣: 在因同一事件被定罪后, 安装了所需的 IID 的每一天都可以按逐日抵扣的方式计算, 以满足后续的 IID 要求。如果逐日抵扣的天数超过了后续定罪要求的天数, DOL 可以豁免剩余的要求。

Prior Suspension: If a person has already served a suspension, revocation, or denial under RCW 46.20.3101 for a period equal to or greater than the suspension period imposed by the DOL, the department shall provide notice of full credit, shall provide for no further suspension or revocation provided the person has completed the requirements of RCW 46.20.311 and paid the probationary license fee under RCW 46.20.311 by the date specified in the notice provided by the DOL. RCW 46.61.5055(9)(b).

先前暂停: 如果个人已根据 RCW 46.20.3101 完成了与 DOL 所施加的暂停期限相等或更长的暂停、吊销或拒绝授予驾驶权的期限, 该部门应提供全额抵扣通知, 并且在该人已完成 RCW 46.20.311 所规定的各项要求, 并在 DOL 提供的通知中所指定的日期之前缴纳了 RCW

46.20.311 规定的有条件驾驶执照费用的情况下，不再实施进一步的暂停或吊销。RCW 46.61.5055(9)(b)。

Employer Exemption: The installation of an IID is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer and driven at the direction of a person's employer as a requirement of employment during business hours upon providing an Employer Exemption declaration to DOL. However, the employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and is used solely for commuting to and from employment.

雇主豁免： 对于个人的雇主拥有、租赁或租用的车辆，以及由雇主临时负责照管和/或维护，并在向 DOL 提供雇主豁免声明后作为工作时间就业要求按照个人的雇主的指示驾驶的车辆，无需安装 IID。但是，当雇主的车辆专门分配给受限制驾驶员并且仅用于上下班时，雇主豁免不适用。

Other Prohibitions under RCW 9.41.040

RCW 9.41.040 下的其他禁令

It is unlawful for a person to own, have access to, receive, or have in their custody, control, or possession any firearm if they are convicted of a second DUI (RCW 46.61.502) or actual physical control of vehicle while under the influence (RCW 46.61.504) of drugs or alcohol within seven years of a conviction for any other prior offense. RCW 46.61.5055(14).

如果个人在因任何其他前科被定罪后七年内第二次 DUI (RCW 46.61.502) 或在醉酒或药物影响下实际控制车辆(RCW 46.61.504) 被定罪，则拥有、获取、接收或保管、控制或持有任何枪支均属违法。RCW 46.61.5055(14)。

Court – Reckless Driving/Negligent Driving – 1st Degree Sentencing Grid
(RCW 46.61.500, RCW 46.61.5249, RCW 46.20.720 as amended through Jan. 1, 2022.)
法庭 – 鲁莽驾驶/疏忽驾驶 – 一级量刑表
(RCW 46.61.500、RCW 46.61.5249、RCW 46.20.720，于 2022 年 1 月 1 日修订。)

Reckless Driving 鲁莽驾驶	
Conviction 定罪	Qualifications 资格
Reckless Driving (RCW 46.61.500(3)(a)) 鲁莽驾驶 (RCW 46.61.500(3)(a))	- Original charge: Violation of DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504) or equivalent local ordinance. 最初指控：违反 DUI (RCW 46.61.502) 或实际控制(RCW 46.61.504) 或同等地方条例。 - One or more prior offenses within 7 years as defined above. 如上定义，7 年内发生过一项或多项前科。
Reckless Driving (RCW 46.61.500(3)(b)) 鲁莽驾驶 (RCW 46.61.500(3)(b))	Original charge: Violation of Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug. 最初指控：在醉酒或任何药物影响下犯下车辆过失杀人罪 (RCW 46.61.520) 或车辆过失伤害罪(RCW 46.61.522)。
Consequences 后果	
II Device II 设备	6 Months. 6 个月。 - Restriction remains in effect until IID vendor certifies to DOL that none of the following incidents occurred within 180 days before date of release: any attempt to start the vehicle with a BAC of 0.04 or more, unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.020 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required; removal of the IID by a person other than an IID technician certified by WSP; and the IID was not tampered with in the manner described in RCW 46.20.750. 在 IID 供应商向 DOL 证明在解除日期之前的 180 天内没有发生以下任何情况之前，限制一直有效：在 BAC 为 0.04 或更高的情况下尝试启动车辆，除非在 10 分钟内再进行一次测试显示呼吸酒精浓度低于 0.04，并且数字图像确认同一个人提供了两个样本；未进行任何随机测试，除非对数字图像的审查确认在错过测试时车辆内没有驾驶员；未通过呼吸酒精浓度为

	0.020 或更低的任何随机重新测试，除非在 10 分钟内再进行一次测试记录呼吸酒精浓度低于 0.020，并且数字图像确认提供两个样本的是同一个人；该人未根据要求前往 IID 供应商处；由 WSP 认证的 IID 技术人员以外的人员移除 IID；并且 IID 未被以 RCW 46.20.750 中描述的方式篡改。 - For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person. 对于 2016 年 6 月 9 日或之后发生的事件，如果个人未在其拥有或驾驶的 vehicle 上安装 IID，则暂停计算该限制的时间。 - DOL will give day-for-day credit as allowed by law. DOL 将根据法律许可逐日抵扣。 - Costs associated with the use of the ignition interlock device, and \$21 fee per month. 与使用点火联锁装置相关的费用，以及每月\$21 的费用。
Maximum Jail Time 最长监禁时间	364 days, if convicted of reckless driving. 如果被判鲁莽驾驶罪，则为 364 天。
Maximum Fine 最高罚款	\$5,000, if convicted of reckless driving. 如果鲁莽驾驶罪名成立，则为\$5,000。
EHM EHM	As ordered. 按照命令。
Driver's License 驾照	30-day suspension. 暂停 30 天。 - DOL will give day-for-day credit as allowed by law. DOL 将根据法律许可逐日抵扣。
Ignition Interlock (II) Driver's License 点火联锁(II) 驾驶执照	- As imposed by DOL. May apply for II driver's license if original charge was violation of DUI (RCW 46.61.502) or Physical Control (RCW 46.61.504) or equivalent local ordinance. If the Defendant is eligible to apply, but does not have a Washington driver's license, the defendant may apply for an II license. DOL may require the defendant to take a licensing examination and apply and qualify for a temporary restricted driver's license. 由 DOL 施加的限制。如果原始指控违反了 DUI (RCW 46.61.502) 或实际控制(RCW 46.61.504) 或同等地方条例，则可以申请 II 级驾驶执照。如果被告有资格申请，但没有华盛顿州驾照，则被告可以申请 II 驾照。DOL 可要求被告参加驾照考试申请并获得临时限制性驾驶执照。 - During any period of suspension, revocation, or denial, a person who has obtained an II driver's license under RCW 46.20.385 may continue to drive without getting a separate, temporary restricted driver's license. 在任何暂停、吊销或拒绝授予驾驶权期间，根据 RCW 46.20.385 获得 II 驾照的人可以继续驾驶，而无需获得单独的临时限制性驾照。

Alcohol/Drug Ed./Victim Impact or Treatment 酒精/药物教育/受害者影响或治疗	As ordered. 按照命令。
24/7 Sobriety Program 24/7 清醒计划	As ordered by the court, if use of alcohol or drugs was a contributing factor in the commission of the crime. 按照法院的命令, 如果饮酒或吸毒是犯罪的促成因素。

Negligent Driving – 1 st Degree 疏忽驾驶 - 一级	
Conviction 定罪	Qualifications 资格
Negligent Driving - 1st Degree (RCW 46.61.5249) 疏忽驾驶 - 一级(RCW 46.61.5249)	One or more prior offenses within 7 years as defined above. 如上定义, 7 年内发生过一项或多项前科。
Consequences 后果	
IID Device II 设备	6 Months. 6 个月。 - Restriction remains in effect until IID vendor certifies to DOL that none of the following incidents occurred within 180 days before date of release: any attempt to start the vehicle with a BAC of 0.04 or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.020 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required; removal of the IID by a person other than an IID technician certified by WSP; and the IID was not tampered with in the manner described in RCW 46.20.750. RCW 46.20.720. 在 IID 供应商向 DOL 证明在解除日期之前的 180 天内没有发生以下任何情况之前, 限制一直有效: 在 BAC 为 0.04 或更高的情况下尝试启动车辆, 除非在 10 分钟内再进行一次测试显示呼吸酒精浓度低于 0.04, 并且数字图像确认同一个人提供了两个样本; 未进行任何随机测试, 除非对数字图像的审查确认在错过测试时车辆内没有驾驶员; 未通过呼吸酒精浓度为 0.020 或更低的任何随机重新测试, 除非在 10 分钟内再进行一次测试记录呼吸酒精浓度低于 0.020, 并且数字图像确认提供两个样本的是同一个人; 该人未根据要求前往 IID 供应商

	处；由 WSP 认证的 IID 技术人员以外的人员移除 IID；并且 IID 未被以 RCW 46.20.750 中描述的方式篡改。RCW 46.20.720。 For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person. 对于 2016 年 6 月 9 日或之后发生的事件，如果个人未在其拥有或驾驶的 vehicle 上安装 IID，则暂停计算该限制的时间。
Maximum Jail Time 最长监禁时间	90 days, if convicted of negligent driving in the 1st degree. 如果被判一级疏忽驾驶罪，则为 90 天。
Maximum Fine 最高罚款	\$1,000, if convicted of negligent driving in the 1st degree. 如果被判一级疏忽驾驶罪，则为 \$1,000。
EHM EHM	As ordered. 按照命令。
Driver's License 驾照	As imposed by DOL. 由 DOL 施加的限制。
Alcohol/Drug Ed./Victim Impact or Treatment 酒精/药物教育/受害者影响或治疗	As ordered. 按照命令。
24/7 Sobriety Program 24/7 清醒计划	As ordered by the court, if use of alcohol or drugs was a contributing factor in the commission of the crime. 按照法院的命令，如果饮酒或吸毒是犯罪的促成因素。