

OWI:

Operating a Motor Vehicle While Intoxicated

A Guide to understanding next Steps and License Reinstatement.

OWIiowa@iowa.gov



It's the Law

It is unlawful to operate a motor vehicle while under the influence of alcohol and/or drugs. Iowa Code 321J outlines the sanctions that can be imposed on offenders. Iowa drivers who offend in another state will also be required to comply with the civil sanctions in Iowa.

Penalties

OWI offenders in Iowa face both criminal and civil penalties. The court determines what criminal penalties to impose on the offender. They often include, but are not limited to, jail time, fines, education, substance abuse disorder assessment, community service and restitution to victims. In some cases, the court may dismiss the case or not require the offender to satisfy any criminal requirements. State law specifies what civil penalties are imposed in order for the offender to reinstate their driver's license.



Driver's License Reinstatement

If your driver's license has been revoked for any OWI offense under Iowa Code 321J (whether as a result of a court order or administrative action), the license may not be reinstated until you:

- Satisfy the revocation period.
- Pay a \$200 civil penalty.
- Present proof of completion of a state mandated drinking driver course and completion of a state mandated substance abuse disorder assessment/treatment.
- Meet financial responsibility requirements.
- Comply with the interlock requirements, if applicable.
- Comply with the 24/7 sobriety program, if applicable.

Drinking Driver Course

Iowa requires that individuals who offend in Iowa or Iowa drivers who offend in another state complete a course for drinking drivers. Iowa utilizes the Prime for Life 12-hour curriculum. In some cases, the court may allow or require you to complete your jail time and drinking driver course in one program known as the 48-hour program or "weekend program." There are a number of locations in Iowa that offer this program. For additional information visit: educate.iowa.gov/higher-ed/owi-education

If you wish to take the drinking driver course in another state, please contact the Iowa Department of Education for assistance. Iowa does not accept online drinking driver courses.

There is a \$37.50 processing fee if you take the drinking driver course outside of Iowa. This fee is not required if you take the course in Iowa. There is a \$1.00 convenience fee for paying online. Payment may be made with a money order or online with a debit/credit card at: stateofiowa.seamlessdocs.com/f/owiadmin

Substance Abuse Disorder Assessment

Individuals who offend in Iowa or Iowa drivers who offend in another state are required to complete a substance abuse disorder assessment performed by a state-licensed evaluator/facility and comply with recommendations. A listing of approved facilities in Iowa can be found at: educate.iowa.gov/higher-ed/owi-education Email OWIiowa@iowa.gov for assistance in locating services in another state or complete the Request Assistance Form.



Documentation

Proof that you completed the requirements must be submitted to both the court and the state. If you offend in a state other than the state where you hold a license, you may be required to provide documentation to both states. Documentation does not automatically transfer from one entity or one state to another. If you complete the drinking driver course and substance abuse disorder assessment/treatment requirements in Iowa, your completion will be reported to Iowa driver's license officials by the agency that provided the services to you. You are responsible for ensuring your documentation is sent to the clerk of court of the county in which you were arrested. If you take the drinking driver course and/or evaluation/treatment outside of Iowa, you are responsible for submitting the documentation to the Iowa Department of Education for processing.

OWI Offender Checklist

- ☐ Have you completed the approved course for drinking drivers? Did you report the completion of the course to the state and the court?
- ☐ Have you completed a substance abuse disorder assessment? Did you report the completion of the evaluation to the state and the court?
- ☐ Was it recommended that you complete substance abuse treatment? If so, did you complete it, and was it reported to the state?
- ☐ Have you submitted your civil penalty payment to the Iowa Department of Transportation?
- ☐ Have you submitted your criminal fine to the court?
- ☐ Have you served your required jail time?
- ☐ You may be required to have an ignition interlock system installed in your vehicle, show proof that you have auto insurance liability coverage, participate in and comply with the 24/7 sobriety program, and/or provide proof of residency. Contact the Iowa Department of Transportation to verify.

Requirements

What is the National Driver Register?

The National Driver Register (NDR) is a computerized database of information about drivers who have had their licenses revoked or suspended or have been convicted of a serious traffic violation for which they still have sanctions that need to be satisfied. State motor vehicle agencies provide the NDR a list of individuals who have lost their privileges to drive and a “hold” is then placed on their licenses. Prior to issuing or reissuing a driver’s license, the state DMV checks the registry; if a person is listed, the license may be denied. The individual’s license may be held until all sanctions have been satisfied. Once the hold is removed, there is no longer a record maintained on the NDR.

Why do I have a hold on my driver’s license?

Individuals that are ticketed for operating a motor vehicle while intoxicated face both civil and criminal sanctions. The court determines what criminal penalties to impose on the offender. They often include, but are not limited to, jail time, fines, education, substance abuse disorder assessment, community service and restitution to victims. State law determines what civil penalties are imposed on the offender to reinstate their driving privileges. In most cases, drivers that offend outside of their own state face sanctions in both the state they offended in as well as their home state or state where they hold a driver’s license. Failure to satisfactorily complete the requirements will result in a hold being placed on a license in the National Driver Register.

What is a substance abuse disorder assessment?

A substance abuse disorder assessment is used to assess whether an individual is chemically dependent and would benefit from treatment. A variety of diagnostic tools may be used by the evaluator to make this determination. At the completion of the assessment, a summary report by the evaluator should be prepared. You are entitled to receive a copy of this evaluation.

Can I take the drinking driver education classes/assessments or substance abuse disorder assessment online?

Iowa does not accept online classes/assessment. Classes must be taken in a classroom setting at a state approved facility.

Where can I take the drinking driver education class in Iowa?

See the [List of Approved Drinking Driver Education Providers in Iowa](#) or visit rb.gy/x06kvb

Where can I get a substance abuse disorder assessment in Iowa?

See the [“Find an Approved Provider Near You”](#) link on our website or visit findtreatment.gov.

Is there a statute of limitations on having to complete the requirements?

No. Every person who received an OWI/DUI in Iowa or Iowa residents who offend in another state must complete the requirements.

What are the penalties for an OWI?

OWI offenders in Iowa face both criminal and civil penalties. The court determines what criminal penalties to impose on the offender. They often include, but are not limited to jail time, fines, education, substance abuse disorder assessment, community service and restitution to victims. State law determines what civil penalties are imposed for the offender to reinstate their driving privileges.

CRIMINAL Penalties Side of Arrest (COURT)	CIVIL Penalties Side of Arrest (DOT)
Fines	Show financial responsibility requirements, if applicable
Jail Time	State mandated drinking driving course (12 hours education – Prime for Life course)
Others penalties	Substance abuse disorder assessment
Court can dismiss charges if they choose	If treatment is recommended, complete this requirement
	Show proof of SR22, if applicable

NOTE: Civil side penalties are imposed in order for the offender to reinstate their driver's license

The judge dismissed my OWI case. Why do I still need to take the drinking driver education class and substance abuse disorder assessment?

In Iowa, an individual charged with an OWI faces both criminal (courts) and civil (driving) sanctions. At the time an individual is arrested for the OWI, a copy of the citation is directed to both the court and the driving authority (Iowa Department of Transportation - IDOT). The court system does not notify the DOT of the dismissal. You have a limited amount of time to contest the charge with the IDOT. If not contested, the IDOT will still require that the offender satisfy the sanctions. Contact the IDOT at **515-281-5251** to learn more about contesting a charge.

What is a 48-hour class?

Iowa requires a first-time offender to spend 48 hours in jail and complete a drinking driver education course. Some providers have programs that combine the jail requirement and the education requirement. The offender attends the class at a local hotel where they are under house arrest and they are required to submit to random alcohol/drug testing. The cost of the 48-hour program includes the cost of the class plus the cost of lodging, meals, security and testing. With the approval of the judge, the offender completing the 48-hour program is not required to go to jail for the OWI offense.

Does AA count for the drinking driver education class?

No. Iowa requires that an OWI offender complete a drinking driver education class in a classroom setting.

Will attending a Victim Impact Panel or MADD seminar satisfy my drinking driver education requirement?

No.

When stopped, I refused to be tested (did not submit breath or blood sample). Do I still need to comply with the sanctions?

Yes.

I don't live in Iowa. Do I still need to take the drinking driver education and substance abuse disorder assessment?

Yes.

Since I do not live in Iowa, can I take my drinking driver education class outside of Iowa?

Yes. Iowa will accept drinking driver education courses taken outside of Iowa as long as it has been approved by the state in which it is offered, is completed in a classroom setting and is at least eight hours in length and cannot be an online course.

How can I find a place to take the drinking driver education class or a place to do a substance abuse disorder assessment in a state other than Iowa?

We maintain a listing of approved facilities throughout the country. Please complete the [OWI/DUI/DWI Assistance form](#) or visit kntn.ly/a4065aa4 and information will be sent to you.

I need to know what my blood alcohol content (BAC) was when I was arrested. How can I get that?

Contact the arresting law enforcement agency or the Iowa Department of Transportation at 515-281-5251.

I completed my education and assessment outside of Iowa. How long does it take to clear the hold on my record?

There are several things that can impact the hold on your license. It typically takes 48 hours for the hold to be lifted once ALL of the following have been received and processed:

- Payment of civil penalty to the Iowa Department of Transportation
- Certificate of completion of a drinking driver education class
- Payment of processing fee for drinking driver education class, if outside of Iowa
- Substance abuse disorder assessment completion
- Treatment completion if recommended during substance abuse disorder assessment
- Complete revocation period
- Show proof of SR22 insurance/residency statement, if applicable
- Comply with interlock requirements, if applicable

I am an Iowa driver and got an OWI in another state. What is required of me?

Iowa requires that you satisfy the requirements of the state where you offended AND the requirement of Iowa. You can review your reinstatement requirements online at: mymvd.iowadot.gov/Account/Login

If I complete my drinking driver education class in Iowa, do I need to send anything in to be processed?

No. The agency at which the class was taken is responsible for electronically notifying the Iowa Department of Transportation that the class has been completed.

When and why do I need to complete a Residency Statement?

The Residency Statement is used to notify the Iowa Department of Transportation that you are no longer an Iowa resident. Someone who is required to file SR22 insurance but is not a resident of Iowa can submit a Residency Statement in order to waive the SR22 requirement.

I completed treatment. Do I still need to take the drinking driver education class?

Treatment does not always include an education component. If your treatment did include at least eight hours of a drinking driver education course, and the treatment facility specifically states this in your treatment completion documentation, and if approved by Iowa, you do not need to complete an additional course. A drinking driver course will need to be completed if one was not included in your treatment.

I cannot afford to take the drinking driver education class or do the substance abuse disorder assessment.

Please contact a provider in your area to see if they have a reduction of fees program.

Documents

What documents does the Iowa Department of Education Drinking Driver Education Program process?

If you took a drinking driver education class, a substance abuse disorder assessment or completed treatment outside of the state of Iowa, the Iowa Department of Education will process your completion documentation and electronically notify the Iowa Department of Transportation that you have completed the requirements. If you took the drinking driver education class or had a substance abuse disorder assessment or treatment in Iowa, the Iowa agency at which you completed your requirement is responsible for electronically notifying the Iowa Department of Transportation. An Iowa agency might withhold completion information until you have paid any fees owed to them for the services provided.

Payments/Fees

Is there a fee for sending documents?

If you completed your drinking driver education class outside of Iowa, there is a \$37.50 processing fee. It is a one-time fee and may be paid at any time. There is a \$1.00 convenience fee for paying online. There is no fee for processing substance abuse disorder assessment/treatment documentation.

How can I pay my \$37.50 document processing fee?

You may pay online with a debit or credit card (VISA, Master Card or Discover) at stateofiowa.seamlessdocs.com/f/owiadmin or send a cashier's check or money order made out to the Iowa Department of Education through postal mail to the address below. We do not accept personal checks. Please note that there is \$1.00 convenience fee for paying online.

**Iowa Department of Education
Drinking Driver Education Program
400 E 14th St
Des Moines, IA 50319**

I owe a civil penalty to the Iowa Department of Transportation (IDOT). Can I pay this online?

Contact the IDOT to determine if you qualify to pay your penalty online at 800-532-1121 or by email at ods@dot.iowa.gov.

Contact Information

How can I contact the Iowa Department of Education's Drinking Driver Education program?

You can contact us using [OWI/DUI/DWI Assistance form](#) or visit kntn.ly/a4065aa4.

By phone 515-281-5251 or by email: owiiowa@iowa.gov.

Our office hours are Monday – Friday from 7:30 a.m. to 4:30 p.m. CST

How do I contact the Iowa Department of Transportation?

By phone: 515-244-8725 or by email: ods@dot.iowa.gov.



Department of Education