

**IN MUNICIPAL COURT, CITY OF FARGO, STATE OF NORTH DAKOTA**  
**SPECIAL ADVISEMENT**

City of Fargo vs. \_\_\_\_\_

Case No and Charge \_\_\_\_\_

You are advised that the following are **mandatory minimum** penalties that will be imposed upon you if you are convicted or if you plead guilty to the offenses listed:

You are advised that if you are convicted of or if you plead guilty to either driving while under the influence, driving under suspension, or driving without liability insurance, this conviction may be used to increase any penalty upon further convictions.

**DRIVING WHILE UNDER THE INFLUENCE:**

- For a 1st offense, the sentence must include both a fine of at least 500.00 and an order for an addiction evaluation by an appropriate licensed addiction treatment program. For a 1<sup>st</sup> offense with a BAC of .16 or greater the sentence must include a fine of at least \$750.00, 2 days' imprisonment, and an order for an addiction evaluation by an appropriate licensed addiction treatment program.
- For a 2nd offense within 7 years, the sentence must include at least 10 days' imprisonment, of which 48 hours must be served consecutively, a fine of at least \$1500.00, and an order for an addiction evaluation by an appropriate licensed addiction treatment program, and at least twelve months' participation in the twenty-four seven sobriety program under chapter 54-12.
- If you have 3 or more offenses within 7 years, or 4th or subsequent offense, the municipal court does not have jurisdiction and the charge will be dismissed and referred to the states attorney.

**DRIVING UNDER SUSPENSION:**

Any person who drives a motor vehicle on a highway or on public or private areas to which the public has a right of access for vehicular use in this state while that person's license or privilege so to do is suspended or revoked in any jurisdiction is guilty of a class B misdemeanor for the 1st, 2nd or 3rd offense within a 5-year period. Any subsequent offense within the same 5-year period is a class A misdemeanor.

If your driving privileges are revoked or suspended for an alcohol-related offense, any conviction for driving under suspension will result in a mandatory minimum sentence of 4 consecutive days' imprisonment.

State law provides that charge may be dismissed under this section upon motion by the defendant if the defendant's operator's license is reinstated within sixty days of the date of the offense and the defendant provides to the court satisfactory evidence of the reinstatement.

**DRIVING WITHOUT LIABILITY INSURANCE:**

- For a 1st offense the sentence imposed must include a fine of at least \$150.00.
- For a 2nd or subsequent offense within a 36-month period must be fined at least \$300.00 and surrender license plates to the court until provides proof of insurance and a \$20.00 fee to the court.

**I state that I am the defendant, I have read this special advisement, I have been informed of the mandatory minimum penalties by the court, and I understand them.**

\_\_\_\_\_  
Defendant's signature

\_\_\_\_\_  
Date