

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i>
PLAINTIFF: People of the State of California DEFENDANT:	
ADDENDUM TO ADVISEMENT OF RIGHTS, WAIVER, AND PLEA Vehicle Code 23103, 23152, 23153	CASE NUMBER:

- | | | Initial |
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| 1 | I understand that the Department of Motor Vehicles (DMV) may consider any of my other convictions for driving under the influence or reckless driving which are not charged in this proceeding and impose a more severe license restriction, suspension, or revocation as a result of my uncharged conviction(s). | 1 [] |
| 2 | I understand that the DMV will not issue a restricted license or restore my driving privilege following a restriction, suspension, or revocation unless I have proof of insurance for three years. The DMV will suspend my licenses: (1) until proof of insurance is provided to the DMV, and (2) upon my failure to maintain this proof during the three-year period. | 2 [] |
| 3 | If applicable – I understand that if my blood alcohol content was .20 percent or above, or if I refused to submit to a chemical test, the Court shall consider this in determining whether to enhance the penalties, grant probation, or impose additional terms of probation. | 3 [] |
| 4 | If applicable – I understand that if I am the registered owner of the vehicle used in the offence: | |
| | a The Court may impound my vehicle at my expense for up to 30 day for a first conviction of section 23152 or 23153. The Court shall impound my vehicle at my expense for up to 30 days for conviction of a second violation of sections 23152 or 23153 within five years, and up to 90 days for conviction of a third or subsequent violation within five years, unless it determines that it is in the interest of justice not to do so; and | 4a [] |
| | b The Court may declare my vehicle to be a nuisance and order it sold following a hearing if I have two or more other convictions for driving under the influence, vehicular manslaughter (P.C. sections 191.5 or 192(c)(3)), or any combination thereof, in the past ten years. | 4b [] |
| 5 | I understand that the DMV may restrict, suspend, or revoke my license under a procedure, which is separate from this criminal action. I understand the DMV's action , if any, will be in addition to the Court's sentence and that I must obey it . | 5 [] |
| 6 | If applicable – I understand that if I am convicted of violation of section VC 14601.2 or 14601.3: : | |
| | a The Court shall prohibit me from operating any vehicle that I own or operate unless it is equipped with a certified ignition interlock device for one to three years . Installation of this device, which prevents the vehicle from starting if I have alcohol in my body, does not authorize me to drive without a valid license. | 6a [] |
| | b I must show proof that I installed the device within 30 days of my conviction or my release from jail or prison, or the DMV shall revoke my license for an additional year . Also, the Court shall suspend my license and issue an arrest warrant if I fail to comply with any notice to: (1) install the device, (2) report on the operation of the device, or (3) maintain or calibrate the device on three or more occasions. | 6b [] |
| 7 | If applicable – I understand that if I am convicted of a third or subsequent violation of section 23152 or 23153, I must surrender my license to the Court. I will also be designated as a habitual traffic offender for three years after my conviction, and I will receive an enhanced sentence if I drive in violation of my license revocation. | 7 [] |
| 8 | If applicable – I understand that, in addition to the penalties on the chart on pay 2, if my alleged offense also caused bodily injury or death to more than one victim, upon a felony conviction, my sentence will be enhanced by one year in state prison for each additional victim. | 8 [] |
| 9 | I understand that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, I can be charged with murder. | 9 [] |
| 10 | I have read and understand the applicable charts on page 2 which list the minimum and maximum sentences for the offense(s) I am charged with. | 10 [] |

SENTENCES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS (VC SECTION 23152)		
Offense	Minimum and maximum sentence when probation is granted (3 to 5 year term)	Minimum and maximum sentence <u>without</u> probation
1 st within 10 years	Two options, both requiring attendance at an alcohol/drug program, a fine of \$390 to \$1,000, plus either: (a) 48 hours to 6 months in jail and 6 months license suspension, or (b) A 90 day license restriction allowing driving for work and alcohol/drug program. Proof to DMV of enrollment in DUI program, proof of financial responsibility and payment of reissue fee. Said restriction begins <u>after</u> suspension imposed by DMV per VC section 13353.2. Under either option, my license <u>shall</u> be suspended for 6 months if the offense occurred in a vehicle that requires a class A or B license.	96 hours to 6 months in jail, \$390 to \$1,000 fine, and a 6 month license suspension.
2 nd within 10 years	Two options, both carrying a fine of \$390 to \$1,000, plus either: (a) 10 days to 1 year in jail and a 2 year license suspension, or (b) 96 hours to 1 year in jail, an 18 month or 30 month alcohol/drug program, and a license restriction allowing driving only for work and alcohol/drug program for the duration of the program. However, my license shall be suspended for 18 months if the offense occurred in a vehicle that requires a class A or B license.	90 days to 1 year in jail, \$390 to \$1,000 fine, and an 18 month license suspension.
3 rd within 10 years	120 days to 1 year in jail, \$390 to \$1,000 fine, a 3 year license revocation, and an 18 month alcohol/drug program if I have not completed one before.	120 days to 1 year in jail, \$390 to \$1,000 fine, and a 3 year license revocation.
4 th or subsequent within 10 years	180 days to 1 year in jail, \$390 to \$1,000 fine, a 4 year license revocation, and an 18 month alcohol/drug program if I have not completed one before.	16 months, or 2 or 3 years in state prison, or 180 days to 1 year in county jail, \$390 to \$1,000 fine, and a 4 year license revocation.

SENTENCE FOR RECKLESS DRIVING (VC section 23103 under section 23102.5)		
Nature of Offense	Minimum and Maximum Sentence	Other
Reckless driving reduced from driving under the influence	If probation is not granted: 5 days to 90 days in jail, or \$145 to \$1,000 fine, or both. If probation is granted: a maximum of 90 days in jail, or \$1,000 fine, or both and participation in a drug and alcohol program if drugs and alcohol are found to be involved.	If alcohol or drugs are involved, this conviction will act as a separate conviction for driving under the influence (DUI) if I commit a subsequent DUI offense within ten years.

SENTENCES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS (VC section 23153)		
Offense	Minimum and maximum sentence when probation is granted (3 to 5 year term)	Minimum and maximum sentence <u>without</u> probation
1 st within 10 years	5 days to 1 year in county jail, a fine of \$390 to \$1,000, attendance at an alcohol/drug program, and a 1 year license suspension.	90 days to 1 year in county jail, or 16 months or 2 or 3 years in state prison, \$390 to \$1,000 fine, and a 1 year license suspension.
2 nd within 10 years	Two options: (a) 120 days to 1 year in county jail, a fine of \$390 to \$5,000, and a 3 year license revocation, or (b) 30 days to 1 year in county jail, a fine of \$390 to \$1,000, an 18 month or 30 month alcohol/drug program, and a 1 year license suspension followed by a 2 year license restriction allowing driving only for work and alcohol/drug program. However, my license shall be revoked for 3 years if the offense occurred in a vehicle that requires a class A or B license.	120 days to 1 year in county jail, or 16 months or 2 or 3 years in state prison, \$390 to \$5,000 fine, and a 3 year license revocation.
3 rd or subsequent within 10 years	30 days to 1 year in county jail, \$390 to \$5,000 fine, a 30 month alcohol/drug program, between 120 and 300 hours of community service, restitution or reparation to the victim as required by law, and a 5 year license revocation.	2, 3, or 4 years in state prison, \$1,015 to \$5,000 fine, and a 5 year license revocation. An additional 3 years in state prison if I already have four DUI convictions and the offense caused great bodily injury to another person.

In all above indicated charges, if probation is granted, terms of probation will include: violate no laws; do not drive with measurable level of alcohol in blood; submit to chemical test of blood, breath or urine if arrested for 23152/23153.