

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

City of Fargo vs. _____

Complaint No. _____

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:

- a. For a 1st offense, the sentence must include both a fine of at least \$250.00 and an order for an addiction evaluation by an appropriate licensed addiction treatment program.
- b. For a 2nd offense within 5 years, the sentence must include at least 5 days' imprisonment, of which 48 hours must be served consecutively, or 30 days of community service, a fine of at least \$500.00, and an order for an addiction evaluation by an appropriate licensed addiction treatment program; and the court must order the motor vehicle number plates of all motor vehicles owned and operated by you at the time of the offense to be impounded for such time as prescribed by the licensing authority.
- c. If you have 3 or more offenses within 5 years, or 4 or more offenses within 7 years, 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.

DRIVING WITHOUT LIABILITY INSURANCE:

- a. For a 1st offense the sentence imposed must include a fine of at least \$150.00.
- b. For a 2nd or subsequent offense within an 18-month period must be fined at least \$300.00.

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