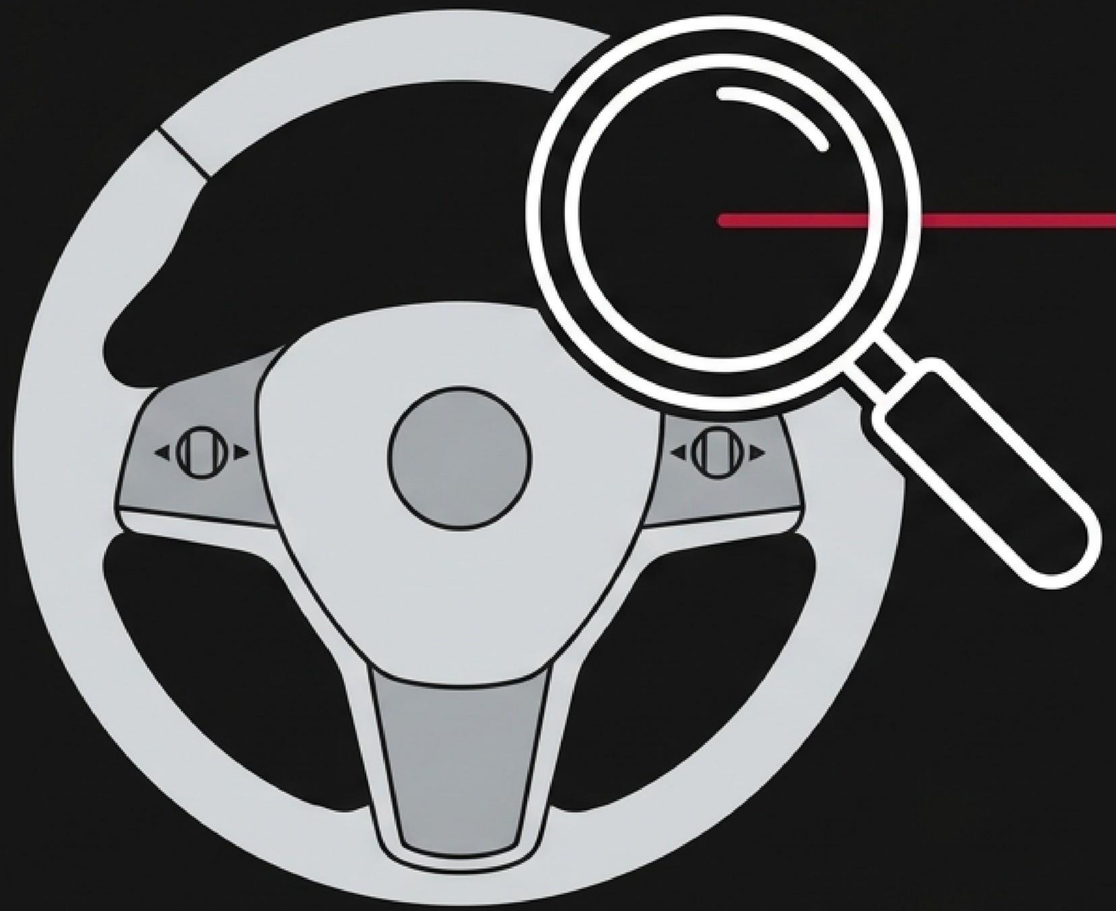
Arizona DUI Laws: The Complete Visual Study Guide

A diagnostic breakdown of legal thresholds, tiered penalties, and the 84-month rule.





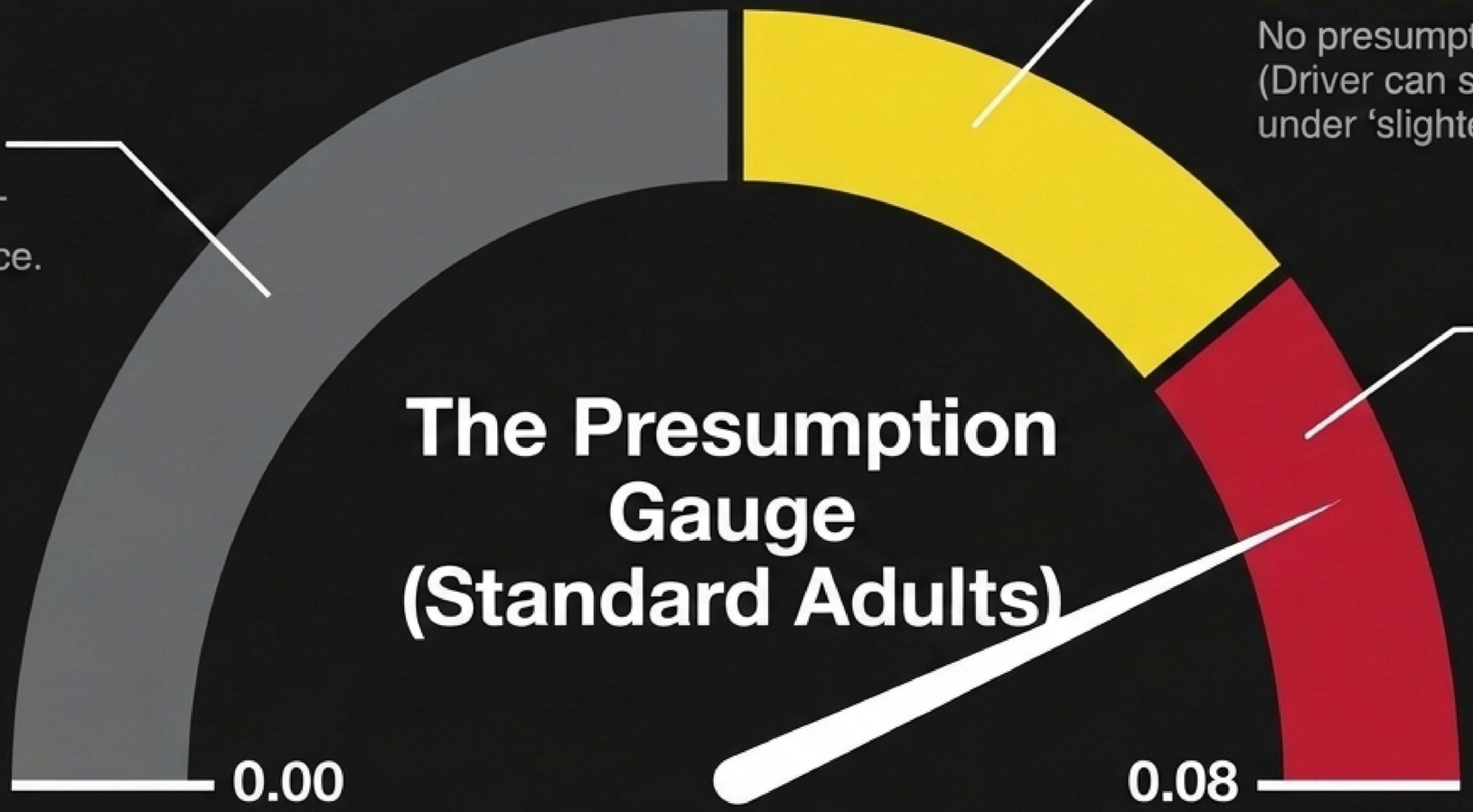
The Foundational Rule: "To the Slightest Degree"

In Arizona, you do not need a breathalyzer number to be convicted of a DUI. Impairment “to the slightest degree” is the core offense (ARS 28-1381(A)(1)).

The Action	The Evidence
Covers driving OR actual physical control of a vehicle. Sitting in control of a parked car counts.	A driver blowing a 0.06 can still be found guilty because the slightest-degree offense needs no specific number at all.

Slightest degree is the offense; the numbers are just the lines drawn on top of it.

The Presumption Gauge (Standard Adults)



≤ 0.05
Presumed NOT under the influence.

more than 0.05 but less than 0.08
No presumption either way. (Driver can still be convicted under ‘slightest degree’).

≥ 0.08
Presumed under the influence. This is the Per Se line.

Any drug listed in ARS 13-3401, or its metabolite, in the body is a separate per se offense—no impairment showing required.

Target Audiences & Their Legal Limits

0.00

Under 21 Drivers

Rule: Zero Tolerance

Any trace of alcohol or drugs that impairs driving ability results in a 2-year suspension.

0.04



Commercial & Rideshare Drivers

Rule: Commercial Per Se Limit

Applies to CDL holders, vehicle-for-hire, and transportation network company (rideshare) drivers.

0.08

Standard Adults (21+)

Rule: Standard Per Se Limit

An alcohol concentration of 0.08 within two hours of driving or actual physical control. Standard DUI is a class 1 misdemeanor.

Implied Consent: The Roadside Reality

By accepting the privilege to drive, you legally consent to blood, breath, urine, or bodily-substance testing when arrested for a DUI.

The Arrest

You Take the Test

Trigger: You blow 0.08+ (or 0.04 commercial).

Consequence: Administrative Per Se. Driving privilege is lost on the spot. The suspension starts at the arrest, not the trial. (Restricted permit may be available after 30 days).

You Refuse the Test

Trigger: Refusal or failure to complete.

Consequence: 12-month suspension. The criminal case still proceeds on other evidence.

Refusing buys nothing. The license goes at the arrest.

The Cost of Refusal

First Refusal

12-Month Suspension

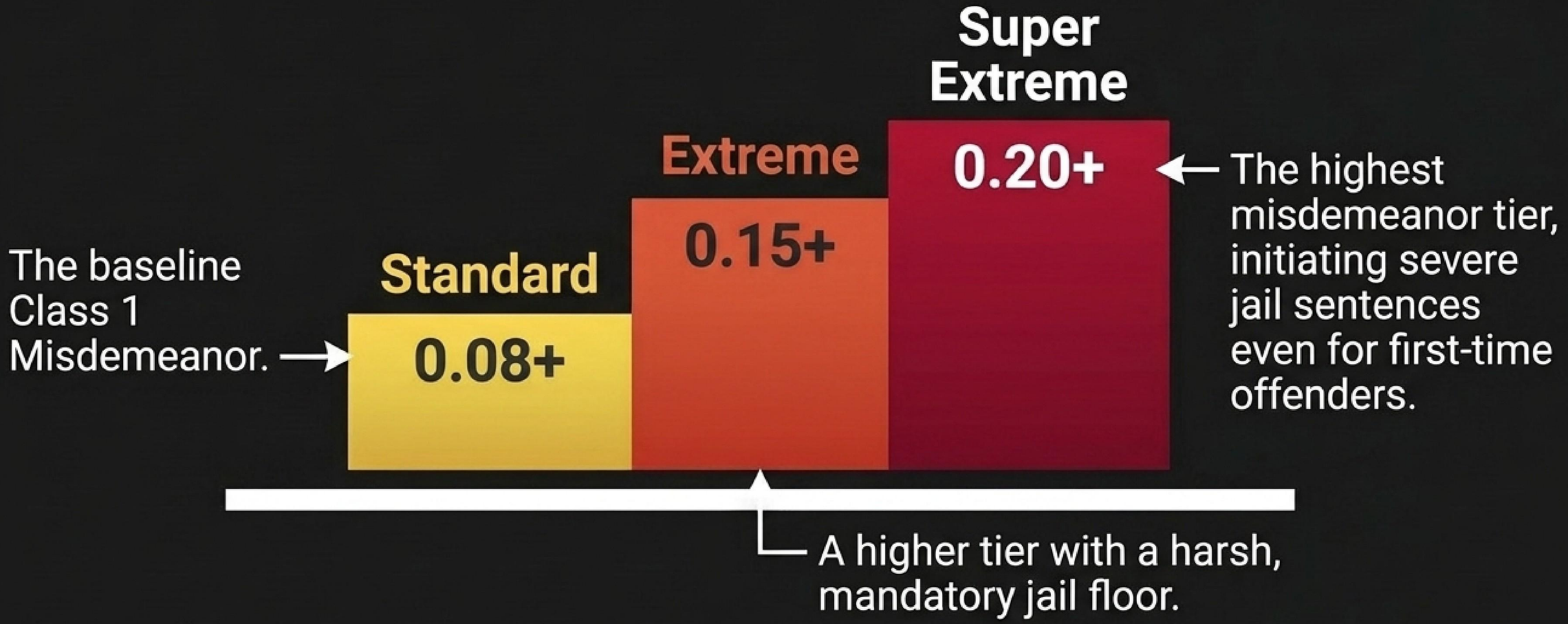


Second Refusal (Within 84 Months)

24-Month Suspension

Memory Aid: Refuse and lose a year—two years the second time.

Defining the Tiers of Arizona DUI



Note: Each tier carries its own distinct minimum jail floor.

First Offenses Penalty Matrix

	Standard (0.08)	Extreme (0.15)	Super Extreme (0.20)
Minimum Jail Floor	≥10 consecutive days (Judge may suspend 9 days with treatment).	≥30 consecutive days.	≥45 days.
Minimum Total Fine	≥$1,250 total.	≥$2,500 total.	
Interlock Duration & License	12 months + ≥90 days suspension.	12 months.	18 months.

Standard tiers require alcohol screening, education/treatment, Traffic Survival School and possible community service; the extreme tier requires screening/treatment, interlock and possible community service (no Traffic Survival School, no education).

The Multiplier: The 84-Month Window

Arizona counts prior offenses across a 7-year (84-month) window.



A second offense inside this 84-month window changes the legal landscape entirely. The state stops treating you as a person making a mistake and starts treating you as a persistent threat, multiplying jail times and fines drastically.

Second Offenses Penalty Matrix (Within 84 Months)

	Standard (0.08)	Extreme (0.15)	Super Extreme (0.20)
Minimum Jail Floor	≥90 days (at least 30 consecutive)	≥120 days (at least 60 consecutive)	
Minimum Total Fine	≥$3,000 total		
Interlock Duration & License	12 months + 1-year revocation	12 months	24 months

Mandatory 30 hours of community **restitution** added for second-offense Standard DUI.

The Aggravated DUI (The Felony Tier)

Aggravated DUI is a felony offense. It is triggered when a standard or extreme DUI is combined with one of five specific aggravating factors.



1. Driving while license is suspended, canceled, revoked, or refused.



2. Committing a 3rd or subsequent DUI within 84 months.



3. Driving with a passenger under 15 years old in the vehicle.



4. Driving while under a mandatory ignition interlock requirement.



5. Driving wrong-way on a highway.

Consequences

- Prison of not more than 2 years.
- License revoked for 1 year.
- Interlock requirement of 12 to 24 months.

The Ignition Interlock Ladder



The Permit

A Special Ignition Interlock Restricted Driver License (SIIRDL) may let eligible drivers drive from day one of a suspension.

The Exemption

Interlock is not required for drug-only DUI offenses (effective Jan 1, 2017). Standard 12-month can sometimes reduce to 6 months.

Under 21: The Reality of Zero Tolerance



‘Just one drink’ = Impairing Trace = 2-Year License Suspension.

For drivers under 21, there is no legal threshold to stay under—there is a total ban. The under-21 driver who has “just one drink” has not found a legal loophole; they have found a two-year suspension.

Providing alcohol to a minor: license suspension up to 30 days for a first conviction and up to 6 months for a second.

Synthesis: The Ultimate Arizona DUI Cheat Sheet

Per Se Lines (The Limits)

Under 21: Zero Tolerance (2-year suspension)
Commercial / Rideshare: 0.04
Standard Adults: 0.08

The Presumptions

≤ 0.05: Presumed Not
more than 0.05 but less than 0.08: No Presumption
≥ 0.08: Presumed DUI

Refusal Penalties

1st Refusal: 12 Months
2nd Refusal (in 84 months): 24 Months

Misdemeanor Floors (First Offense)

Standard (0.08): 10 Days Jail / $1,250
Extreme (0.15): 30 Days Jail / $2,500
Super Extreme (0.20): 45 Days Jail

The Only Safe Reading



The only plan that never meets this system: If you drink, you do not drive—not even to the slightest degree.

Also note the everyday companion rule: No open spirituous liquor in the passenger compartment. Keep it in the trunk.

Keep practicing — free, no sign-up

Arizona Alcohol & Drugs study guide, practice tests & flashcards:

drivinglicensetest.org/az

Sources verified November 13, 2026