

ARD DUI PROGRAM EXPLANATION

If you are presently being considered as a candidate for the Cumberland County Accelerated Rehabilitative Disposition (ARD) Program, this document is designed to provide you with some explanation of what the program entails.

Basically, ARD is a pretrial disposition in which the District Attorney agrees to suspend prosecution of your Driving Under the Influence (DUI) charge for a period of time in exchange for your successful participation in a rehabilitative program. The program is governed by the *Pennsylvania Rules of Criminal Procedure (Chapter 3) Rules 310 through 319*. Under those rules, if you comply with the terms of your ARD program and complete the program successfully, the DUI charge pending against you at that time will be dismissed. If you do not complete the ARD Program successfully, you will be prosecuted for DUI, and if convicted, will be required to serve mandatory jail time, and may have your driver's license suspended. The idea behind the creation of the ARD Program is the belief that the social or behavioral problems behind drinking and driving can best be dealt with by a treatment program rather than by criminal prosecution.

Cumberland County offers two ARD program options. The differences in the programs are outlined below:

Fast Track ARD/DUI Program

1. Preliminary Hearing: Must be waived to be eligible.
2. Save \$500 (\$500 will be deducted from the standard program cost): You will owe at least \$1,400 depending upon fees associated with your case. \$500 due within 30 days of your Central Court date; balance payable in 2 equal installments (1st due within 60 days and 2nd due within 120 days of your ARD/DUI Court date).
3. DUI School: You must attend this 12½-hour education program as scheduled.
4. CRN Evaluation: You must complete this assessment with the Cumberland-Perry Drug & Alcohol Commission prior to your ARD/DUI Court date. This assessment will determine if any further evaluation and/or treatment will be required during the ARD/DUI Program.
5. Driver's License Suspension: Based on your blood alcohol level at the time of arrest; ranges from 0–60 days. If you refused the blood alcohol concentration (BAC) test, were involved in an accident, were under the influence of a drug other than alcohol, or no BAC is available, suspension will be 60 days. If you were charged with DUI-Underage, suspension will be 90 days regardless of BAC.
6. One Court Appearance: You only appear for formal ARD/DUI Court.
7. All Fees and Costs Due by Required Date: Failure to pay on time will result in removal from the ARD Program, and your case will be scheduled for trial.

Standard ARD/DUI Program

1. Standard Fees Apply (i.e. \$1,900+): Must be paid in full at Pre-ARD/DUI interview.
2. DUI School: You must attend this 12½-hour education program as scheduled.
3. CRN Evaluation: You must complete this assessment with the Cumberland-Perry Drug & Alcohol Commission prior to your ARD/DUI Court date. This assessment will determine if any further evaluation and/or treatment will be required during the ARD/DUI Program.
4. Drug and Alcohol Evaluation (if recommended by the CRN): You must be evaluated by a licensed drug and alcohol treatment provider; if counseling is recommended, you must complete such counseling and provide written statement of successful discharge. (Note: The alcohol evaluation and any counseling or treatment is an additional expense to you.)
5. Driver's License Suspension: Based on your blood alcohol level at the time of arrest; ranges from 0–60 days. If you refused the BAC test, were involved in an accident, were under the influence of a drug other than alcohol, or no BAC is available, suspension will be 60 days. If you were charged with DUI-Underage, suspension will be 90 days regardless of BAC.
6. Two Court Appearances: You must appear for Pre-ARD and ARD/DUI Court.

If you successfully complete all of the conditions of your ARD Program, the charge of Driving Under the Influence and any additional traffic violations pending against you will be dismissed.

Your privileges to drive in the state of Pennsylvania will be suspended according to your blood alcohol level as outlined in the following DUI General Information guidelines unless you are also charged with Underage Drinking which will require an additional mandatory three-month suspension. You will surrender your license to begin the suspension when directed by the Pennsylvania Department of Transportation (PennDOT).

If you would be arrested for Driving Under Suspension and convicted, you would be subject to a mandatory penalty of 60–90 days in jail and a \$500 fine. Additionally, even after successfully completing the ARD Program, should you again be arrested for DUI, you would not be eligible for the ARD Program and your new arrest would be considered a second offense which could subject you to mandatory jail time if convicted.

If you decide to enter the ARD Program, a probation officer will interview you at the time of your admission into the program and answer any other questions you have concerning the program.

DUI GENERAL INFORMATION

1. Pay \$1,500+ in court costs, fines and fees, plus \$50/month supervision fee.
2. DUI School – Complete 12½-hour DUI School (no additional charge).
3. Drug and Alcohol Evaluation – Obtain a drug and alcohol evaluation by a licensed drug and alcohol treatment provider; if counseling is recommended, you must complete such counseling and provide written statement of successful discharge. (Note: The alcohol evaluation and any counseling or treatment is an additional expense to you.)

DUI convictions carry the following penalties, based on BAC and offense number.

General Impairment (.08–.099, Undetermined)

1 st Offense	6 months probation, no suspension
2 nd Offense	5 days–6 months, 12 months suspension, 12 months interlock
3 rd (or Subsequent)	10 days–2 years, 12 months suspension, 12 months interlock

High BAC (.10–.159)

1 st Offense	48 hours–6 months, 12 months suspension
2 nd Offense	30 days–6 months, 12 months suspension, 12 months interlock
3 rd Offense	90 days–5 years, 18 months suspension, 12 months interlock
4 th (or Subsequent)	1–5 years, 18 months suspension, 12 months interlock

Highest BAC (.16 and Higher, Controlled Substance, Under 21)

1 st Offense	72 hours–6 months, 12 months suspension
2 nd Offense	90 days–5 years, 18 months suspension, 12 months interlock
3 rd (or Subsequent)	1–5 years, 18 months suspension, 12 months interlock

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