

WHAT TO DO — EMERGENCY REFERENCE

What to Do After a Texas DWI Arrest

A Texas DWI arrest triggers two separate license suspensions, a 15-day deadline, and significant exposure under Penal Code § 49.04. The first 72 hours set the trajectory of your case.

CALL AN ATTORNEY IMMEDIATELY — (214) 466-1398

A licensed attorney answers 24/7. Do NOT discuss your case with anyone except your lawyer. Statements to police, cellmates, friends, or family can be used against you.

Do This Now

1. Exercise your Fifth Amendment right to remain silent. Politely decline to answer questions about where you came from, what you drank, or when.
2. Request an attorney immediately. Your Sixth Amendment right applies at custodial interrogation.
3. Do NOT consent to any search of your vehicle, phone, or person beyond what a warrant authorizes.
4. Request an ALR hearing in writing within 15 days of arrest under Transportation Code § 524.031.
5. Write down everything you remember — the stop, field tests, officer questions, testing procedures — while fresh.
6. Preserve evidence — receipts, messages, dashcam footage, the DIC-25 form the officer gave you.
7. Hire an experienced DWI defense attorney before your first court appearance (typically 2-4 weeks after arrest).
8. Call L and L Law Group at (214) 466-1398. A licensed attorney answers 24/7.

Avoid These Common Mistakes

- Do NOT discuss your case on jail phone calls (they are recorded and admissible at trial).
- Do NOT post about the arrest on social media — prosecutors will screenshot it.
- Do NOT attempt to contact the arresting officer or witnesses directly.
- Do NOT miss your first court date — a bench warrant will issue.
- Do NOT assume refusing the breath/blood test gets you off — officers typically obtain a warrant within minutes.
- Do NOT accept a plea offer without an attorney's review.
- Do NOT drive after your 40-day automatic suspension begins (if you didn't request ALR).

Key Texas Law You Should Know

Texas Penal Code § 49.04 — DWI

First-offense DWI is a Class B misdemeanor (up to 180 days jail, \$2,000 fine, 72-hour minimum). BAC 0.15+ elevates to Class A.

Texas Transportation Code § 724.013 — Implied Consent

Refusing breath/blood test triggers 180-day license suspension (2-year suspension for repeat refusal).

Texas Transportation Code § 524.031 — ALR Hearing

15-day deadline to request an Administrative License Revocation hearing.

Texas Penal Code § 49.09 — DWI Enhancement

Second DWI is Class A; third or subsequent is a third-degree felony (2-10 years TDCJ).

Possible Outcomes

- Dismissal through motion to suppress (Fourth Amendment violations during stop or arrest)
- Reduction to Obstruction of Highway Passageway (Penal Code § 42.03) — no DWI conviction, no DPS surcharges
- Pre-trial diversion in Collin County for eligible first-time offenders
- Deferred adjudication (available for first-offense DWI since September 2019)
- Acquittal at jury trial
- Negotiated probation with favorable conditions

CRITICAL DEADLINES

15 days from arrest to request ALR hearing | 40 days from arrest before automatic license suspension | 2-4 weeks to first court appearance

Questions to Bring to Your Consultation

- Do I qualify for deferred adjudication or pre-trial diversion?
- Can you file a motion to suppress the stop or arrest?
- What is the timeline for my case?
- What is the total flat fee and what does it include?
- Will I need an occupational driver's license?
- What are my chances of getting this reduced to obstruction?
- How will this affect my CDL / professional license / immigration status?

FREE CONSULTATION — AVAILABLE 24/7

Call (214) 466-1398 or visit [friscocriminalattorneys.com/contact.html](https://www.friscocriminalattorneys.com/contact.html). A licensed attorney answers day or night. Flat-fee pricing with payment plans available.