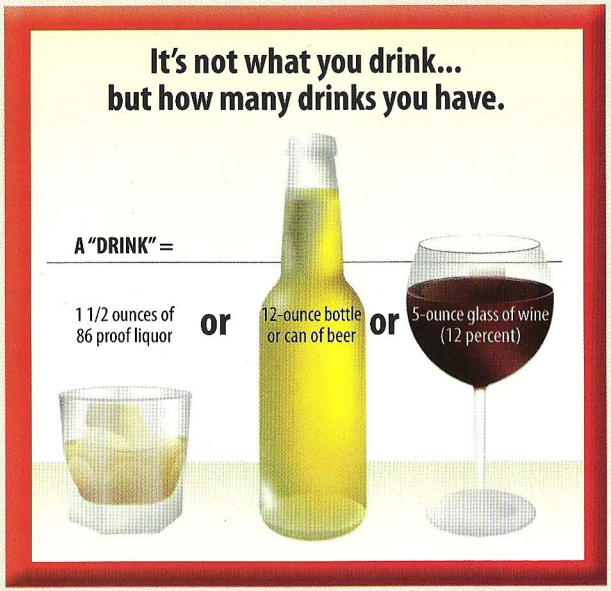
CONSEQUENCES OF UNDERAGE DRINKING AND DRIVING

In New Jersey, you must be at least 21 years of age to purchase, possess or consume alcoholic beverages. Underage drinking is illegal and can have severe consequences for young people who drink and for adults who provide alcoholic beverages to those under 21.

If you are under 21 and buy or drink alcohol in a place with an alcoholic beverage license, you may be fined $500 and lose your driver license for six months. If you do not have your license, the suspension starts when you are first eligible to receive a license. Also you may be required to participate in an alcohol education or treatment program.

If you are under 21, drive with any detectable amount of alcohol in your system (.01 BAC or above) and are convicted for violating New Jersey's zero tolerance law, **the penalties are**:

- Loss or postponement of driving privileges for 30 to 90 days
- 15 to 30 days of community service
- Participation in an alcohol and traffic safety education program



Source: New Jersey Motor Vehicle Commission

DRIVING WITH A SUSPENDED LICENSE DUE TO DWI

- A fine of $500*
- 10 to 90 days imprisonment*
- 1 to 2 years additional license suspension*
- If you are involved in a crash while your license is suspended and someone is hurt, you face a mandatory 45 day jail sentence*
- Revocation of motor vehicle registration*

REFUSAL TO SUBMIT TO A BREATH TEST

- ***1st offense*** - $300-$500 fine and a license suspension of not less than 7 months or more than 1 year*
- ***2nd offense*** - $500-$1,000 fine and a 2-year license suspension*
- ***3rd offense*** - $1,000 fine and a 10-year license suspension*
- Installation of an ignition interlock device for a period of 6 months to 1 year after license restoration for the 1st offense, 1 year to 3 years for the 2nd and 3rd offenses
- Automobile insurance surcharge of $1,000 a year for 3 years for 1st and 2nd offenses, $1,500 for 3rd offense
- A $100 surcharge to be deposited in the Drunk Driving Enforcement Fund
- Referral to an Intoxicated Driver Resource Center

POSSESSING AN OPEN CONTAINER IN THE PASSENGER COMPARTMENT

- ***1st offense*** - $200
- ***2nd offense*** - $250 fine or 10 days of community service

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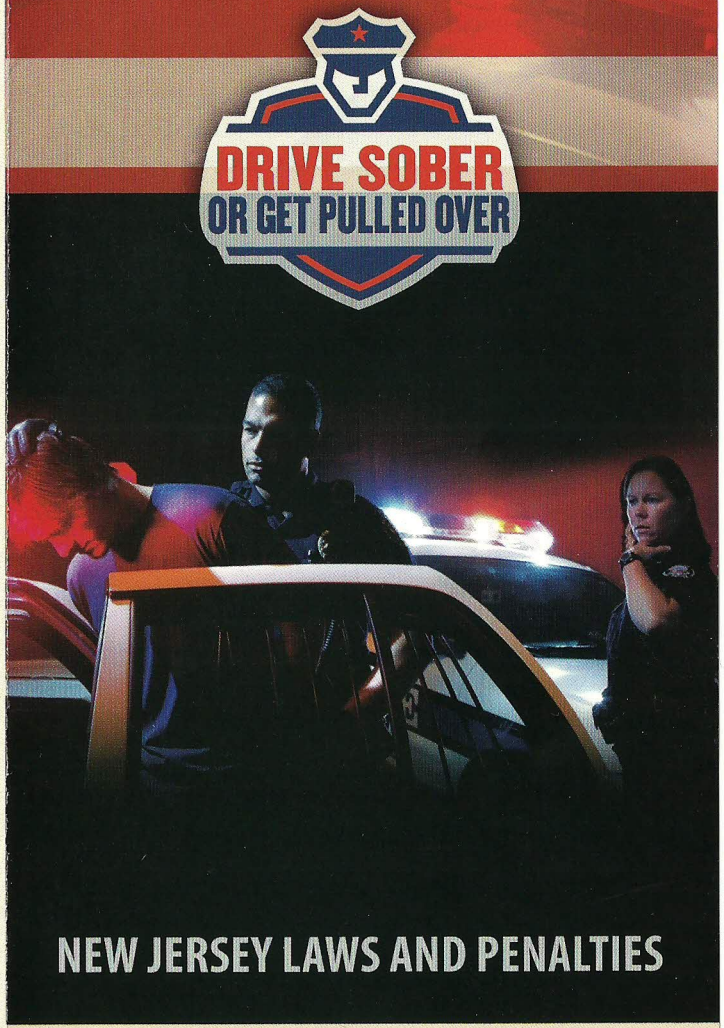
DRIVING WHILE INTOXICATED



NEW JERSEY LAWS AND PENALTIES

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THE LAW

Definition of Impairment

In New Jersey, a person is guilty of drunk driving if he/she operates a motor vehicle with a Blood Alcohol Concentration (BAC) of 0.08 percent or greater. BAC refers to the amount of alcohol in your blood. Although the law refers to a 0.08 percent BAC, you can be convicted of driving while under the influence of intoxicating liquor even when your BAC is below 0.08 percent. Consuming even small amounts of alcohol dulls the senses, decreases reaction time, and hampers judgement, vision and alertness. If you consume any amount of alcohol and your driving is negatively impacted, you can be convicted of drunk driving. It is also a violation for a person to operate a motor vehicle under the influence of a narcotic, hallucinogenic or habit producing drug. You can also be convicted for allowing another person to operate a motor vehicle when that person does so in violation of the driving while intoxicated (DWI) law. What follows is a summary of the penalties that result when a person is convicted of violating New Jersey's DWI law.

THE PENALTIES

1st Offense

Under New Jersey Law **(P.L. 2003, CHAPTER 314)**, if an offender's BAC is 0.08 percent or higher, but less than 0.10 percent, or if an offender permits another person with a BAC over 0.08 percent, but less than 0.10 percent to operate a motor vehicle, **the penalties are**:

- A fine of $250-$400*
- Imprisonment for up to 30 days*
- 3-month license suspension*
- A minimum of six hours a day for two consecutive days in an Intoxicated Driver Resource Center
- An automobile insurance surcharge of $1,000 a year for 3 years

If the offender's BAC is 0.10 percent or higher, or the person operates a motor vehicle while under the influence of a narcotic, hallucinogenic or habit-producing drug, or permits another person with a BAC of 0.10 percent to operate a motor vehicle, the penalties are:

- A fine of $300-$500*
- Imprisonment for up to 30 days*
- A license suspension between 7 months and 1 year*
- A minimum of six hours a day for two consecutive days in an Intoxicated Driver Resource Center
- An automobile insurance surcharge of $1,000 a year for 3 years

Offenders with a BAC of 0.15 percent or higher must install an ignition interlock device in any vehicle they principally operate during the license suspension period and for a period of 6 months to 1 year after license restoration.

2nd Offense

- A fine of $500-$1,000*
- Imprisonment of at least 48 consecutive hours, and up to 90 days*
- 2-year license suspension*
- 48 consecutive hours detainment in a regional Intoxicated Driver Resource Center
- An automobile insurance surcharge of $1,000 a year for 3 years
- Installation of an ignition interlock device for a period of 1 year to 3 years after license restoration

3rd Offense

- A fine of $1,000*
- Imprisonment of 180 days*
- 10-year license suspension*
- Detainment in an in-patient alcoholism treatment program
- A fee to be paid to the Intoxicated Driver Resource Center dependent upon court sentence
- An automobile insurance surcharge of $1,500 a year for 3 years
- Installation of an ignition interlock device for a period of 1 year to 3 years after license restoration

* *If occurring within a school zone or school crossing, this penalty is increased under Public Law 99, Chapter 185.*

ANY OFFENSE ALSO CARRIES

- A $100 surcharge to be deposited in the Drunk Driving Enforcement Fund
- A Motor Vehicle Commission restoration fee of $100 and an Intoxicated Driving Program fee of $100
- A Violent Crimes Compensation Fund fee of $50
- A Safe and Secure Community Program fee of $75

REGISTRATION REVOCATION/ IGNITION INTERLOCK

In addition to these penalties, judges may order the revocation of the vehicle registration (Public Law 2000, Chapter 83).

The ignition interlock device, which measures the driver's blood alcohol level, may be required for up to three years following license restoration after a DWI conviction. Any person may start a motor vehicle equipped with an interlock device for safety reasons or to repair the device or motor vehicle, but the convicted offender **may not operate** the vehicle.

A person who, on behalf of the convicted offender, blows into an interlock device to start a motor vehicle or tampers with the device to circumvent its operation may be charged with a disorderly persons offense.

DRIVING WITH A MINOR

A parent or guardian who is convicted of driving while intoxicated and had a passenger in the motor vehicle 17 years of age or younger, is also guilty of a disorderly persons offense. In addition, a person forfeits the right to operate a motor vehicle for a maximum of six months and must perform community service for up to five days.