



State:

New Hampshire

Statute/Law:

265-A:2: *Driving or Operating Under Influence of Drugs or Liquor.*

Per Se Law?:

No

Statute/Law Language:

I. No person shall drive or attempt to drive a vehicle upon any way or operate or attempt to operate an OHRV:

(a) While such person is under the influence of intoxicating liquor or any controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and controlled drugs, prescription drugs, over-the-counter drugs, or any other chemical substances, natural or synthetic, which impair a person's ability to drive; or

(b) While such person has an alcohol concentration of 0.08 or more or in the case of a person under the age of 21, 0.02 or more.

II. No person shall operate or attempt to operate a boat while under the influence of intoxicating liquor or a controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and a controlled drug or drugs, prescription drug or drugs, over-the-counter drug or drugs, or any other chemical substance or substances, natural or synthetic, which impair a person's ability to drive or while such person has an alcohol concentration of 0.08 or more or in the case of persons under the age of 21, 0.02 or more.

Penalties Following Conviction:

1st Offense: At least \$500 in fines, and license revocation from ninety (90) days to two (2) years; 2nd Offense within 2 years: At least \$750 in fines, mandatory sentence of not less than 37 consecutive days, and license revocation from ninety (90) days to two (2) years; Third offense: At least \$750 in fine, and a mandatory prison sentence of 180 days.





Discretionary Court-Ordered Penalties:

Community service; restitution; substance abuse treatment program; random urinalysis.

For more information:

<http://www.gencourt.state.nh.us/rsa/html/XXI/265-A/265-A-2.htm>

Current as of August 2016