



State:

New Jersey

Statute/Law:

Section 39:4-50: Driving while intoxicated.

Per Se Law?:

No

Statute/Law Language:

(a) A person who operates a motor vehicle while under the influence of...[a] narcotic, hallucinogenic or habit-producing drug...or permits another person who is under the influence of intoxicating liquor, narcotic, hallucinogenic or habit-producing drug to operate a motor vehicle owned by him or in his custody or control...

Penalties Following Conviction:

For first offense: \$300 to \$500 fine, 12 to 48 hours imprisonment, and in court's discretion imprisonment not exceeding 30 days. Driver's license suspension for not less than 7 months nor more than 1 year. For second offense: - \$500 to \$1000 fine, imprisonment of 48 consecutive hours-90 days, which shall not be suspended or served on probation, driver's license suspension for 2 years, and community service for 30 days. The court shall order installation of ignition interlock device for not less than 1 year nor more than 3 years, or shall revoke all registration certificates and registration plates for 2 years. Third or subsequent offense: \$1000 fine, imprisonment not less than 180 days in county jail or workhouse, and driver's license suspension for 10 years. Court shall order installation of ignition interlock device for not less than 1 year nor more than 3 years, or shall revoke all registration certificates and registration plates for 10 years.

Discretionary Court-Ordered Penalties:

May order participation in a supervised visitation program as either a condition of probation or a form of community service. The court may order defendant to serve up to 90 days of that sentence participating in a drug or alcohol inpatient rehabilitation program. Defendant pays fines and fees.

For more information:

<http://www.state.nj.us/oag/dcj/agguide/dwi2005-penaltytable.pdf>

Current as of August 2016

