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A REGISTERED LIMITED LIABILITY COMPANY

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2024 NEW DUI/DWI PENALTY GUIDE

1st Offense

Tier 1 - .08 < .10 or No Reading (Observation)

- 90 Day Interlock after installation, suspension until installed
- 12-48 Hr. IDRC
- \$257-407 fine, CC \$33, SN \$75, VC \$50, SC \$225
- Up to 30 days jail (not mandatory)

Tier 2 - .10 < .15

- 7-12 month Interlock after installation, suspension until installed
- 12-48 Hr. IDRC
- \$307-507 fine, CC \$33, SN \$75, VC \$50, SC \$225
- Up to 30 days jail (not mandatory)

Tier 3 - .15 or higher

- 3 month loss of license
- Interlock during suspension & 12-15 months after installation
- 12-48 Hr. IDRC
- \$307-507 fine, CC \$33, SN \$75, VC \$50, SC \$225
- Up to 30 days jail (not mandatory)

Operate Under Influence of Drugs

- 7-12 month loss of license, No interlock
- 12 Hr. IDRC
- \$307-507 fine, CC \$33, SN \$75, VC \$50, SC \$225
- Up to 30 days jail (not mandatory)

2nd Offense

Operate Under Influence of Alcohol or Drugs

- 1-2 year loss of license
- Interlock during suspension & 2-4 years after installation
- 30 days community service
- 48 Hr. IDRC
- \$507-1,007 fine, CC \$33, SN \$75, VC \$50, SC \$225
- 2-90 days jail (Court may authorize 2 days @ IDRC)

3rd or subsequent Offense

Operate Under Influence of Alcohol or Drugs

- 8 year loss of license
- Interlock during suspension & 2-4 years after restoration
- 48 Hr. IDRC
- \$1,007 fine, CC \$33, SN \$75, VC \$50, SC \$225
- 180 days jail (Court may authorize 90 days served in-patient program)

Refusal to Submit

1st Offense

- 9-15 months Interlock after installation, suspension until installed
- \$307-507 fine, CC \$33, SN \$75, VC \$50, SC \$100

2nd Offense

- 1-2 year loss of license
- Interlock 2-4 years after installation consecutive to 39:4-50
- IDRC Referral
- \$507 – 1,007 fine, CC \$33, SN \$75, VC \$50, SC \$100

3rd Offense

- 8 year loss of license
- Interlock 2-4 years after installation consecutive to 39:4-50
- IDRC Referral
- \$1,007 fine, CC \$33, SN \$75, VC \$50, SC \$100

IMPORTANT NOTES

FINE WAIVED if:

- 1) Defendant pre-installs interlock before date of conviction;
 - 2) Defendant's NJ license was in good standing on the date of the offense up through the date of conviction; AND
 - 3) Defendant obtains a NJ driver's license with interlock notation.
- *****Not applicable to under influence of drugs. *****

CREDIT TOWARDS DL SUSPENSION

- 1) Defendant installs an interlock before conviction; AND
- 2) Defendant's NJ license was in good standing from the date of the offense to date of conviction and includes the interlock notation

Then Defendant is entitled to credit of one day against any DL suspension for every 2 days the interlock has been installed.

*****Not applicable in serious bodily injury to another cases*****
*****Not applicable to under influence of drugs. *****

NO MOTOR VEHICLE

A person convicted of DWI who does not own, lease, or operate a motor vehicle shall attest to this to the court and Defendant's DL will be suspended for the period of license suspension plus the period the interlock would have been installed under the relevant violation.

N.J.S.A. 39:4-50.17(c). The person convicted shall notify the court of the purchase, lease, or access to operation of a motor vehicle and install an interlock device in the vehicle.

INTERLOCK INSTALLATION PRE-DISPOSITION

Installation of interlock pre-disposition **DOES NOT** give credit toward the interlock period required post-sentence on 1st, 2nd or 3rd convictions.

If Defendant does not install Interlock pre-disposition, court shall collect DL at time of sentencing.

If Defendant's credit from installation toward suspension does not cover entire suspension period, the court must collect Defendant's IID license.

For the duration of the court's order, the Defendant shall not drive any vehicle other than the vehicle in which an ignition interlock device has been installed pursuant to the order.