

NJ DWI/DUI PENALTY CHART

Offense	39:4-50 Driving while intoxicated
1st Offense- BAC 0.08% or higher, but less than .10%	<ul style="list-style-type: none">- \$250 to \$400 fine, and- IDRC 12 to 48 hours, and- in court's discretion, imprisonment not exceeding 30 days, and- driver's license suspension for a period of 3 months, and- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and- may order participation in supervised visitation program as either a condition of probation or a form of community service, and- satisfy the screening, evaluation and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of imprisonment and driver's license suspension until requirements are satisfied.
1st Offense- BAC 0.10% or higher	<ul style="list-style-type: none">- \$300 to \$500 fine, and- IDRC 12 to 48 hours, and- in court's discretion imprisonment not exceeding 30 days, and- Driver's license suspension for not less than 7 months nor more than 1 year and- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and- may order participation in supervised visitation program as either a condition of probation or a form of community service, and- may order installation of an interlock device for not less than 6 months nor more than 1 year, and- satisfy the screening, evaluation, and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of

imprisonment and driver's license suspension until requirements are satisfied.

2nd Offense

- \$500 to \$1000 fine, and
- imprisonment of not less than 48 consecutive hours, which shall not be suspended or served on probation, nor more than 90 days, and
- driver's license suspension for 2 years, and
- community service for 30 days, and
- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and
- may order participation in a supervised visitation program as either a condition of probation or a form of community service, and
- 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, and
- satisfy the screening, evaluation, and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of imprisonment and driver's license suspension until requirements are satisfied.

3rd or Subsequent Offense

- \$1000 fine, and
- imprisonment not less than 180 days in county jail or workhouse, except that the court may order defendant to serve up to 90 days of that sentence participating in a drug or alcohol inpatient rehabilitation program approved by the IDRC, and
- driver's license suspension for 10 years, and
- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and
- may order participation in supervised visitation program as either a condition of probation or a form of community service, and

- 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, and

- satisfy the screening, evaluation, and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of imprisonment and driver's license suspension until requirements are satisfied.

Offense **39:4-50**
Driving while intoxicated while on school property (penalty provision at N.J.S.A. 39:4-50(g))

1st Offense

- \$500 to \$800 fine, and

- imprisonment not exceeding 60 days, and

- driver's license suspension for not less than 1 year nor more than 2 years, and

- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and

- may order installation of an interlock device for not less than 6 months nor more than 1 year, and

- satisfy the screening, evaluation, and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of imprisonment and driver's license suspension until requirements are satisfied.

2nd Offense

- \$1000 to \$2000 fine, and

- imprisonment of not less than 96 consecutive hours, which shall not be suspended or served on probation, nor more than 180 days, except that the court may lower such term for each day, not exceeding 90 days, served performing community service, and

- driver's license suspension for 4 years, and

- community service for 60 days, and

- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and

- may order installation of ignition interlock device for not less than 1 year nor more than 3 years, and

- satisfy the screening, evaluation, and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of imprisonment and driver's license suspension until requirements are satisfied.

**3rd or
Subsequent
Offense**

- \$2000 fine, and

- imprisonment not less than 180 days, except that the court may order defendant to serve up to 90 days of that sentence participating in a drug or alcohol inpatient rehabilitation program approved by the IDRC, and

- driver's license suspension for 20 years to start upon completion of any prison sentence, and

- VCCB \$50, DDEF \$100, SNSF \$75, and \$100 surcharge, and

- may order installation of ignition interlock device for not less than 1 year nor more than 3 years, and

- satisfy the screening, evaluation, and referral requirements of the IDRC. If these requirements are not met, then mandatory 2-day term of imprisonment and driver's license suspension until requirements are satisfied.

Offense

39:4-50.4a

Refusal to submit to chemical test (penalty provision at N.J.S.A.

39:4a(a))

1st Offense

- \$300 to \$500 fine, and

- driver's license suspension not less than seven months or more than one year (may be concurrent or consecutive to any revocation imposed under N.J.S.A. 39:4-50), and

- DDEF \$100, and

- shall refer offender to IDRC.

2nd Offense

- \$500 to \$1000 fine, and
- driver's license suspension for 2 years (consecutive to any revocation imposed under N.J.S.A. 39:4-50), and
- DDEF \$100, and
- shall refer offender to IDRC.

**3rd or
Subsequent
Offense**

- \$1000 fine, and
- driver's license suspension for 10 years (consecutive to any revocation imposed under N.J.S.A. 39:4-50), and
- DDEF \$100, and
- shall refer offender to IDRC.

**Offense 39:4-50.4a
Refusal to submit to chemical test on school property (penalty
provision at N.J.S.A. 39:4-50.4a(b))**

1st Offense

- \$600 to \$1000 fine, and
- driver's license suspension not less than 1 year or more than two years,
and
- DDEF \$100, and
- shall refer offender to IDRC.

2nd Offense

- \$1000 to \$2000 fine, and
- driver's license suspension for 4 years, and
- DDEF \$100, and

- shall refer offender to IDRC.

**3rd or
Subsequent
Offense**

- \$2000 fine, and

- driver's license suspension for 20 years, and

- DDEF \$100, and

- shall refer offender to IDRC.