

39:4-50.14

LEGISLATIVE HISTORY CHECKLIST
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(Underage--drivers--penalties)

NJSA: 39:4-50.14

LAWS OF: 1992 **CHAPTER:** 189

BILL NO: A1447/A1426

SPONSOR(S) Geist

DATE INTRODUCED: May 19, 1992

COMMITTEE: **ASSEMBLY:** Judiciary
SENATE: ---

AMENDED DURING PASSAGE: Yes Assembly committee substitute
(1R) enacted

DATE OF PASSAGE: **ASSEMBLY:** June 25, 1992
SENATE: December 7, 1992

DATE OF APPROVAL: December 17, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper [REDACTED]
"Teens & alcohol." 12-18-92 Star Ledger.
"Drinking's costs rises..." 12-18-92 Philadelphia Inquirer.
aw puts cap on underage drinking, driving." 12-18-92 Asbury Park Press.

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P.L.1992, CHAPTER 189, approved December 17, 1992
Assembly Committee Substitute (First Reprint) for
1992 Assembly No. 1447 and 1426

1 AN ACT concerning the operation of motor vehicles by certain
2 persons and providing penalties and supplementing chapter 4 of
3 Title 39 of the Revised Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the
6 State of New Jersey:

7 1. Any person under the legal age to purchase alcoholic
8 beverages who operates a motor vehicle with a blood alcohol
9 concentration of 0.01% or more, but less than 0.10%, by weight
10 of alcohol in his blood, shall forfeit his right to operate a motor
11 vehicle over the highways of this State ¹or shall be prohibited
12 from obtaining a license to operate a motor vehicle in this State¹
13 for a period of not less than 30 ¹[nor] or¹ more than 90 days
14 ¹beginning on the date he becomes eligible to obtain a license or
15 on the day of conviction, whichever is later,¹ and shall perform
16 community service for a period of not less than 15 or more than
17 30 days.

18 In addition, the person shall satisfy the program and fee
19 requirements of an Intoxicated Driver Resource Center ¹{by
20 participation} or participate¹ in a program of alcohol education
21 and highway safety as prescribed by the Director of the Division
22 of Motor Vehicles.

23 The penalties provided under the provisions of this section shall
24 be in addition to the penalties which the court may impose under
25 N.J.S.2C:33-15, R.S.33:1-81, R.S.39:4-50 or any other law.

26 2. This act shall take effect immediately.

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31 Creates offense of underage person driving a motor vehicle after
32 consuming an alcoholic beverage.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted June 18, 1992.

[FIRST REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 1447 and 1426

STATE OF NEW JERSEY

ADOPTED JUNE 1, 1982

Sponsored by Assemblymen GEIST, IMPREVEDUTO, ROMANO,
Assemblywoman DERMAN and Assemblyman BAER

1 AN ACT concerning the operation of motor vehicles by certain
2 persons and providing penalties and supplementing chapter 4 of
3 Title 39 of the Revised Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the
6 State of New Jersey:

7 1. Any person under the legal age to purchase alcoholic
8 beverages who operates a motor vehicle with a blood alcohol
9 concentration of 0.01% or more, but less than 0.10%, by weight
10 of alcohol in his blood, shall forfeit his right to operate a motor
11 vehicle over the highways of this State ¹or shall be prohibited
12 from obtaining a license to operate a motor vehicle in this State¹
13 for a period of not less than 30 ¹[nor] or¹ more than 90 days
14 ¹beginning on the date he becomes eligible to obtain a license or
15 on the day of conviction, whichever is later,¹ and shall perform
16 community service for a period of not less than 15 or more than
17 30 days.

18 In addition, the person shall satisfy the program and fee
19 requirements of an Intoxicated Driver Resource Center ¹[by
20 participation] or participate¹ in a program of alcohol education
21 and highway safety as prescribed by the Director of the Division
22 of Motor Vehicles.

23 The penalties provided under the provisions of this section shall
24 be in addition to the penalties which the court may impose under
25 N.J.S.2C:33-15, R.S.33:1-81, R.S.39:4-50 or any other law.

26 2. This act shall take effect immediately.

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32 consuming an alcoholic beverage.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:
Assembly floor amendments adopted June 18, 1982.

**ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 1447 and 1426**

STATE OF NEW JERSEY

ADOPTED JUNE 1, 1992

**Sponsored by Assemblymen GEIST, IMPREVEDUTO, ROMANO,
Assemblywoman DERMAN and Assemblyman BAER**

1 **AN ACT concerning the operation of motor vehicles by certain**
2 **persons and providing penalties and supplementing chapter 4 of**
3 **Title 39 of the Revised Statutes.**
4

5 **BE IT ENACTED by the Senate and General Assembly of the**
6 **State of New Jersey:**

7 1. **Any person under the legal age to purchase alcoholic**
8 **beverages who operates a motor vehicle with a blood alcohol**
9 **concentration of 0.01% or more, but less than 0.10%, by weight**
10 **of alcohol in his blood, shall forfeit his right to operate a motor**
11 **vehicle over the highways of this State for a period of not less**
12 **than 30 nor more than 90 days and shall perform community**
13 **service for a period of not less than 15 or more than 30 days.**

14 **In addition, the person shall satisfy the program and fee**
15 **requirements of an Intoxicated Driver Resource Center by**
16 **participation in a program of alcohol education and highway**
17 **safety as prescribed by the Director of the Division of Motor**
18 **Vehicles.**

19 **The penalties provided under the provisions of this section shall**
20 **be in addition to the penalties which the court may impose under**
21 **N.J.S.2C:33-15, R.S.33:1-81, R.S.39:4-50 or any other law.**

22 2. **This act shall take effect immediately.**
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27 **Creates offense of underage person driving a motor vehicle after**
28 **consuming an alcoholic beverage.**

Legislative Counsel's
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ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1447/1426

ACCP-1E
JUN 1 1982

STATE OF NEW JERSEY

By Assemblymen GEIST, IMPREVEDUTO, ROMANO
Assemblywoman DERMAN and Assemblyman BAER

AN ACT concerning the operation of motor vehicles by certain persons and providing penalties and supplementing chapter 4 of Title 39 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Any person under the legal age to purchase alcoholic beverages who operates a motor vehicle with a blood alcohol concentration of 0.01% or more, but less than 0.10%, by weight of alcohol in his blood, shall forfeit his right to operate a motor vehicle over the highways of this State for a period of not less than 30 nor more than 90 days and shall perform community service for a period of not less than 15 or more than 30 days.

In addition, the person shall satisfy the program and fee requirements of an Intoxicated Driver Resource Center by participation in a program of alcohol education and highway safety as prescribed by the Director of the Division of Motor Vehicles.

The penalties provided under the provisions of this section shall be in addition to the penalties which the court may impose under N.J.S.2C:33-15, R.S.33:1-81, R.S. 39:4-50 or any other law.

2. This act shall take effect immediately.

Creates offense of underage person driving a motor vehicle after consuming an alcoholic beverage.

ASSEMBLY, No. 1447

STATE OF NEW JERSEY

INTRODUCED MAY 18, 1992

By Assemblyman GEIST

1 **AN ACT** concerning the operation of motor vehicles by certain
2 persons and supplementing chapter 4 of Title 39 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the
6 State of New Jersey:

7 1. Any person under the legal age to purchase alcoholic
8 beverages who operates a motor vehicle with a blood alcohol
9 concentration of 0.01% or more, but less than 0.10%, by weight
10 of alcohol in his blood, shall forfeit his right to operate a motor
11 vehicle over the highways of this State for a period of not less
12 than 30 or more than 60 days and perform community service for
13 a period of not less than 15 or more than 30 days.

14 In addition, the person shall satisfy the program and fee
15 requirements of an Intoxicated Driver Resource Center or
16 participate in a program of alcohol education and highway safety
17 as prescribed by the Director of the Division of Motor Vehicles.

18 The penalties provided under the provisions of this section shall
19 be in addition to the penalties which the court may impose under
20 N.J.S.2C:33-15, R.S.33:1-81, or any other law.

21 2. This act shall take effect immediately.

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STATEMENT

26 This bill establishes penalties for any driver under the age of 21
27 who is found to have consumed an alcoholic beverage.

28 Under the provisions of the bill, a driver under the age of 21
29 who is found to have a blood alcohol content of 0.01% or more,
30 but less than 0.10% (the statutory standard for designating a
31 person as "under the influence" of an alcoholic beverage), would
32 forfeit his right to operate a motor vehicle for not less than 30 or
33 more than 60 days and perform community service for not less
34 than 15 or more than 30 days.

35 The person also would be required to satisfy the program and
36 fee requirements of an Intoxicated Driver Resource Center or
37 participate in a program of alcohol education and highway safety,
38 as prescribed by the Department of Law and Public Safety.

39 The penalties provided in this bill are in addition to those the
40 court is currently authorized to impose for the purchase,
41 possession, or consumption of alcoholic beverages by underage
42 persons.

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47 **Creates offense of underage person driving a motor vehicle after**
48 **consuming an alcoholic beverage.**

**ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE**

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, Nos. 1447 and 1426

STATE OF NEW JERSEY

DATED: JUNE 1, 1992

The Assembly Judiciary, Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bills Nos. 1447 and 1426.

This substitute establishes penalties for any driver under the age of 21 who is found to have consumed an alcoholic beverage.

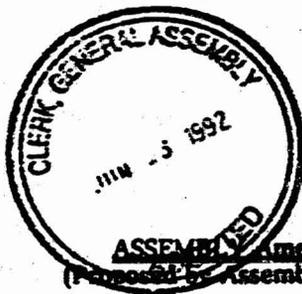
Under the provisions of the substitute, a driver under the age of 21 who is found to have a blood alcohol content of 0.01% or more, but less than 0.10% (the statutory standard for designating a person as "under the influence" of an alcoholic beverage), would forfeit his right to operate a motor vehicle for not less than 30 days nor more than 90 days and perform community service for not less than 15 or more than 30 days.

The person also would be required to satisfy the program and fee requirements of an Intoxicated Driver Resource Center by participation in a program of alcohol education and highway safety, as prescribed by the Department of Law and Public Safety.

The penalties provided in this bill are in addition to those the court is currently authorized to impose for the purchase, possession, or consumption of alcoholic beverages by underaged persons. The substitute includes a reference to R.S.39:4-50 because it is not intended to preclude any efforts to prosecute under that section for a possible DWI conviction.

The committee wishes to note that this substitute is not intended to be the basis for any increase or imposition of automobile insurance surcharges for this new offense.

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Document ID

Speaker

JU 0124

SR 1000

TR XXXX

Clerk (3)

054

Majority Leader

Minority Leader

Sponsor of Aa

Sponsor of Bill

ACS For Assembly, Nos. 1447 and 1426

(Sponsored by Assemblymen Geist, Imprevduto, Romano)

REPLACE SECTION 1 TO READ:

1. Any person under the legal age to purchase alcoholic beverages who operates a motor vehicle with a blood alcohol concentration of 0.01% or more, but less than 0.10%, by weight of alcohol in his blood, shall forfeit his right to operate a motor vehicle over the highways of this State or shall be prohibited from obtaining a license to operate a motor vehicle in this State¹ for a period of not less than 30 ¹[nor] or¹ more than 90 days beginning on the date he becomes eligible to obtain a license or on the day of conviction, whichever is later,¹ and shall perform community service for a period of not less than 15 or more than 30 days.

In addition, the person shall satisfy the program and fee requirements of an Intoxicated Driver Resource Center [by participation] in a program of alcohol education and highway safety as prescribed by the Director of the Division of Motor Vehicles.

The penalties provided under the provisions of this section shall be in addition to the penalties which the court may impose under N.J.S.2C:33-15, R.S.33:1-81, R.S.39:4-50 or any other law.

or participate



STATEMENT

This bill establishes penalties for any driver under the age of 21 who is found to have consumed an alcoholic beverage. These amendments clarify the time period when the person's license would be forfeited which would begin on the date the person becomes eligible to obtain a license or the day of conviction, whichever is later.