

# Motor Vehicle Violations

Contributed by Administrator  
Friday, 25 January 2008  
Last Updated Saturday, 26 January 2008

## Penalties and fines

Driving is a privilege, not a right. If you break traffic laws, your driving privileges could be suspended or revoked resulting in fines and even imprisonment. The seriousness of your violations - and resulting penalties - are tracked by MVC using a point system.

If you are convicted of a moving violation, MVC will penalize you by adding points to your driving record. You will only get points on your record for moving violations - points are not assessed for parking and other violations. A table is provided for more information on the number of points earned for specific violations.

## How do points affect you?

- If you get six or more points within three years on your current driving record, you will be assessed a surcharge
- If you get 12 or more points on your current driving record, your license will be suspended. You will receive a notice of scheduled suspension by mail
- Getting points on your license may also increase your insurance rates. Contact your insurance agent for details

NJSA

SectionOffense Points

New Jersey Turnpike, Garden State Parkway and Atlantic City Expressway

27:23&ndash;29  
Moving against traffic

2

27:23&ndash;29  
Improper passing

4

27:23&ndash;29  
Unlawful use of median strip

2

All roads and highways

39:3&ndash;20  
Operating constructor vehicle in excess of 45 mph

3

39:4&ndash;14.3  
Operating motorized bicycle on a restricted highway

2

39:4&ndash;14.3d  
More than one person on a motorized bicycle

2

39:4&ndash;35  
Failure to yield to pedestrian in crosswalk

2

39:4&ndash;36  
Failure to yield to pedestrian in crosswalk; passing a vehicle yielding to pedestrian in crosswalk

2

39:4&ndash; 41  
Driving through safety zone

2

39:4&ndash;52  
Racing on highway

5

39:4&ndash;55  
Improper action or omission on grades and curves

2

39:4&ndash;57  
Failure to observe direction of officer

2

39:4&ndash;66  
Failure to stop vehicle before crossing sidewalk

2

39:4&ndash;66.1  
Failure to yield to pedestrians or vehicles while entering or leaving highway

2

39:4&ndash;66.2  
Driving on public or private property to avoid a traffic sign or signal

2

39:4&ndash;71  
Operating a motor vehicle on a sidewalk

2

39:4&ndash;80  
Failure to obey direction of officer

2

39:4&ndash;81  
Failure to observe traffic signals

2

39:4&ndash;82  
Failure to keep right

2

39:4&ndash;82.1  
Improper operating of vehicle on divided highway or divider

2

39:4&ndash;83  
Failure to keep right at intersection

2

39:4&ndash;84  
Failure to pass to right of vehicle proceeding in opposite direction

5

39:4&ndash;85  
Improper passing on right or off roadway

4

39:4&ndash;85.1  
Wrong way on a one-way street

2

39:4&ndash;86  
Improper passing in no passing zone

4

39:4&ndash;87  
Failure to yield to overtaking vehicle

2

39:4&ndash;88  
Failure to observe traffic lanes

2

39:4&ndash;89  
Tailgating

5

39:4&ndash;90  
Failure to yield at intersection

2

39:4&ndash;90.1  
Failure to use proper entrances to limited access highways

2

39:4&ndash;91&ndash;92  
Failure to yield to emergency vehicles

2

39:4&ndash;96  
Reckless driving

5

39:4&ndash;97  
Careless driving

2

39:4&ndash;97a  
Destruction of agricultural or recreational property

2

39:4&ndash;97.1  
Slow speed blocking traffic

2

39:4&ndash;97.2  
Driving in an unsafe manner (points only for third or subsequent offense within five years of most recent 39:4-97.2 conviction)

4

39:4&ndash;98  
Exceeding maximum speed 1-14 mph over limit

2

Exceeding maximum speed 15-29 mph over limit

4

Exceeding maximum speed 30 mph or more over limit

5

39:4&ndash;105  
Failure to stop for traffic light

2

39:4&ndash;115  
Improper turn at traffic light

3

39:4&ndash;119  
Failure to stop at flashing red signal

2

39:4&ndash;122  
Failure to stop for police whistle

2

39:4&ndash;123  
Improper right or left turn

3

39:4&ndash;124  
Improper turn from approved turning course

3

39:4&ndash;125  
Improper u-turn

3

39:4&ndash;126  
Failure to give proper signal

2

39:4&ndash;127  
Improper backing or turning in street

2

39:4&ndash;127.1  
Improper crossing of railroad grade crossing

2

39:4&ndash;127.2  
Improper crossing of bridge

2

39:4&ndash;128  
Improper crossing of railroad grade crossing by certain vehicles

2



39:4&ndash;128.1  
Improper passing of school bus

5

39:4&ndash;128.4  
Improper passing of frozen dessert truck

4

39:4&ndash;129  
Leaving the scene of an accident &ndash;  
no personal injury

2

Personal injury

8

39:4&ndash;144  
Failure to observe stop or yield signs

2

39:5C&ndash;1  
Racing on highway

5

39:5D&ndash;4  
Moving violation committed out-of-state

2

## DUI: Driving Under the Influence

The only scientific way to determine whether a driver is under the influence is through blood alcohol concentration (BAC). Your BAC can be tested with a simple Breathalyzer test.

In New Jersey, a person with a BAC of 0.08% or greater who operates a motor vehicle or a boat is considered to be driving under the influence (DUI).

Being convicted of a DUI is a serious offense, carrying heavy penalties including:

- Fines, fees and surcharges
- Jail time
- Community service

## Mandatory fines and penalties

Driving or riding with an open container

## Offense

Fines

Community service

1st  
\$200  
&ndash;

2nd  
\$250  
10 days

Driving while possessing drugs

License loss  
Fines or surcharges

2 years  
Minimum \$50 fine

Alcohol or drug related DUI with BAC greater than 0.08% but less than 0.10%

License loss

Fines, fees & surcharges

Prison term

Community service requirement

3 months

\$250&ndash;\$400 fine

\$230 IDRC\* fee

\$100 to drunk driving fund

\$100 to AERF\*

\$1,000/year (for 3 years) surcharge

\$75 to Neighborhood Services Fund

Up to 30 days

12&ndash;48 hours IDRC\*

Driving while possessing drugs

License loss

Fines or surcharges

2 years

Minimum \$50 fine

Driving with a DUI suspension

License loss  
Fines or surcharges  
Prison term

Additional

1&ndash;2 years  
\$500 fine

\$250/year (for 3 years) surcharge  
10&ndash;90 days

Repeated DUI convictions

Offense

License loss

Fines, fees & surcharges

Prison term

Community service requirement

2nd offense within 10 years

2 years

\$500&ndash;\$1,000 fine  
\$280 IDRC\* fee

\$100 to drunk driving fund

\$100 to AERF\*

\$1,000/year (for 3 years) surcharge

\$75 to Neighborhood Services Fund

48 hours&ndash;

90 days

30 days

and

12&ndash;48 hours IDRC\*

3rd offense within 10 years of 2nd offense

10 years

\$1,000 fine

\$280 IDRC\* fee

\$100 to drunk driving fund

\$100 to AERF\*

\$1,500/year (for 3 years) surcharge

\$75 to Neighborhood Services Fund

180 days

Up to 90 days (can reduce period of imprisonment) and 12&ndash;48 hours IDRC\*

Alcohol or drug related DUI with BAC of 0.10% or greater

License loss

Fines, fees & surcharges

Prison term

Community service requirement

7 months&ndash;

1 year

\$300&ndash;\$500 fine

\$230 IDRC\* fee

\$100 to drunk driving fund

\$100 to AERF\*

\$1,000/year (for 3 years) surcharge

\$75 to Neighborhood Services Fund

Up to 30 days

12&ndash;48 hours IDRC\*

- \*IDRC - Intoxicated Driver Resource Center

- \*AERF - Alcohol Education and Rehabilitation Fund
- Underage drinking may cause a six-month delay in getting a license
- Alcohol and drug-related offenses require completion of an alcohol screening and evaluation program

Failure to pay DUI surcharges will result in

- Indefinite suspension of driving privileges
- Action filed in State Superior Court by MVC. This may include securing a lien against your property, garnishing your wages or other similar action