NEW JERSEY · DWI CHECKLIST

New Jersey DWI Checklist

What to do today, this week, and before your court date. Print it. Check things off. One step at a time.

YOUR LICENSE CASE

None — license loss is ordered by the municipal court on conviction

New Jersey has no administrative license suspension or hearing request for adult DWI or refusal. The license consequence is a court-ordered forfeiture after conviction in municipal court, so there is no hearing deadline to meet.

Who: New Jersey Municipal Courts; New Jersey Motor Vehicle Commission (MVC) for surcharges and restoration

KEY FACTS

SUSPENSION, 1ST FAILED TEST

No pre-conviction suspension. On a first conviction at 0.08 to under 0.15: no driving until an interlock is installed. At 0.15 or more: 3 months forfeiture after the interlock is installed, plus interlock.

SUSPENSION, 1ST REFUSAL

No pre-conviction suspension. On a first refusal conviction: no driving until an interlock is installed.

1ST OFFENSE CHARGE

Motor vehicle offense (not a crime), in three BAC tiers

1ST OFFENSE FINE

$250 to $400 (0.08 to under 0.10); $300 to $500 (0.10 or more)

1ST OFFENSE JAIL

Up to 30 days

INSURANCE FILING

Proof of insurance required; see your guide

PRIOR OFFENSES

Priors within 10 years count

IGNITION INTERLOCK

Required for nearly every DWI and refusal conviction under the 2019 law, including first offenses at 0.08 to under 0.10. You may not drive until the device is installed.

1 First 24 Hours

- [ ] **None — license loss is ordered by the municipal court on conviction: New Jersey has no administrative license suspension or hearing request for adult DWI or refusal. The license consequence is a court-ordered forfeiture after conviction in municipal court, so there is no hearing deadline to meet.**

- [ ] Read your summonses — You will usually get separate tickets for DWI (39:4-50) and, if you refused, refusal (39:4-50.4a). They list the municipal court and your first date.
- [ ] Know your license status — New Jersey does not suspend your license before trial for an adult DWI. You can keep driving legally until a judge orders otherwise, unless your license was already suspended.
- [ ] Write down your BAC reading — Your tier (0.08–0.10, 0.10–0.15, or 0.15+) sets the fine and how long you need an interlock. Ask for the Alcotest result if you were not given it.
- [ ] Consider installing an interlock early — Since February 2024 you may install an interlock after arrest and before conviction. If your license was valid and in good standing, this waives the DWI fine at every tier and on a second or third offense. At 0.15 or more, or on a second or third offense, each 2 days of interlock also earns 1 day of credit against forfeiture. Drug-impaired DWI cases get no fine waiver or credit.
- [ ] Talk to a lawyer before the first court date — Municipal court DWI cases are tried before a judge with no jury. A lawyer can review the Alcotest records and how the refusal charge affects your case.

2 Court

- [ ] Summonses — The officer issues summonses for DWI and, if you refused, for refusal. They name the municipal court and your first court date.
- [ ] First appearance — You appear before the municipal judge and enter a plea. Your license is not suspended before this for an adult DWI.
- [ ] Discovery and plea talks — Your lawyer requests the evidence, including Alcotest records. DWI plea deals were long restricted by court Guideline 4. P.L. 2023, c. 191 now authorizes plea agreements in DWI and refusal cases on a prosecutor's recommendation, and the Supreme Court withdrew Guideline 4 in February 2024.
- [ ] Trial before the judge — If the case does not resolve, the municipal judge hears the evidence and decides. There is no jury.
- [ ] Sentencing — The judge sets the fine, any jail, IDRC hours, and the interlock and forfeiture terms for your BAC tier. A refusal conviction can be sentenced at the same time as the DWI.

3 Getting Your License Back

- [ ] Intoxicated Driver Resource Center (IDRC), run by the Intoxicated Driving Program (IDP): A DWI conviction includes IDRC (the statute sets detainment at 12 to 48 hours): a 12-hour program over two days at your county IDRC, or a 48-hour program at a regional site, depending on your sentence. A third or later offender may be sentenced to jail or inpatient treatment instead, with a 12-hour IDRC follow-up. You get an at-risk screening and education. The IDP then reports to the MVC on restoration. Skipping it brings more suspension and possible jail.
- [ ] Ignition interlock: Required for nearly every DWI and refusal conviction under the 2019 law, including first offenses at 0.08 to under 0.10. You may not drive until the device is installed.
- [ ] Get proof of insurance before you reinstate your license.

Your full New Jersey DWI guide

Deadlines, penalties, the court process, license hearings, and FAQs, with links to the official sources.

https://dui911.org/new-jersey

Official source for your license deadline: https://www.nj.gov/mvc/license/suspension.htm

This checklist is educational and is not legal advice. Laws, deadlines and fees change; confirm them with the agency or a licensed New Jersey attorney before you rely on them. DUI911.org is not a law firm and is not affiliated with any law firm, interlock company or insurer.