

Minimum Mandatory Fines and Penalties

August 9, 2004

Relating to Selected Motor Vehicle Offenses

This schedule contains only those motor vehicle offenses that have statutory minimum fines and penalties or those that contain a specified range of minimum/maximum fines and penalties. Motor vehicle offenses that contain only maximum penalties are not included on this list. This chart is designed for quick reference and does not contain every sentencing nuance. Therefore, it is recommended that judges always consult the applicable statute before imposing any sentence.

The listed fines do not include court costs. Accordingly, remember to add court costs, up to a maximum of \$30.00 (before September 1, 2004) or \$33.00 (on or after September 1, 2004), to the appropriate fine. The listed fines also do not include the amount assessed for fines established at N.J.S.A. 39:5-41. As of the date of this chart, the total additional assessments under N.J.S.A. 39:5-41 are \$6.00, but reference should be made to this statute to determine the correct amount at the time of sentencing.

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:3-9a	Failure to notify change in name	39:3-86	Fine or imprisonment not exceeding 15 days, or both	\$25	\$500
39:3-9a	Failure to endorse license	39:3-86	Fine or imprisonment not exceeding 15 days, or both	\$25	\$500
39:3-10	Driving without a license where offender has never been licensed in N.J. or elsewhere		Fine or imprisonment for not more than 60 days and no license to issue for at least 180 days	\$200	\$500
39:3-10.18(a)	Failure to possess valid commercial driver's license		Fine or imprisonment up to 60 days, or both	\$250	\$500
39:3-10.18(b)	Driving a commercial vehicle after driver's license has been suspended		1) Fine or imprisonment up to 90 days, or both 2) If accident with personal injury to another occurs while violating this section, 90 days imprisonment, \$5000 fine and suspension of commercial driving privileges in accordance with N.J.S.A. 39:3-10.20(f)	none	\$5000
39:3-10.24	Refusal to consent to taking samples of breath after arrest for operating commercial vehicle under the influence pursuant to N.J.S.A. 39:3-10.13		First offense: Fine and six month revocation of driver's license, and satisfy the requirements of a program of alcohol education pursuant to N.J.S.A. 39:4-50	\$250	\$500

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:3-10.24	Refusal to consent to taking samples of breath after arrest for operating commercial vehicle under the influence pursuant to N.J.S.A. 39:3-10.13		Subsequent offense: Fine and 2 year revocation of driver's license, and satisfy the requirements of a program of alcohol education pursuant to N.J.S.A. 39:4-50	\$250	\$500
39:3-12	Illegal securing of driver's license		Fine or imprisonment for not less than 30 days nor more than 90 days, or both	\$200	\$500
39:3-13.2a	Violation of conditions of the special learner's permit, other than conviction of alcohol or drug related offense	39:3-13.8		\$100	\$100
39:3-20	Weight in excess of limitation permitted by certificate of registration for commercial vehicles		Plus \$100 per 1000 lbs. or fraction thereof of excess weight	\$500	none
39:3-20.1	Misuse of registration of empty trucks	39:3-20.2	Fine and suspension or revocation of the privilege	\$25	\$100
39:3-27.11	Misuse of fire department or first aid squad plates	39:3-27.12		\$25	\$50
39:3-27.17	Misuse of disabled veteran plates	39:3-27.18		\$25	\$50
39:3-27.21	Misuse of commuter van plates	39:3-27.22		\$25	\$50
39:3-27.27	Misuse of street rod plates			\$25	\$50
39:3-29	Failure to exhibit documents			\$150	\$150
39:3-35	Lending or misusing registration certificate or plates			\$25	\$50

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:3-37	Falsifying application on examination		Fine or imprisonment for not more than 6 months, or both	\$200	\$500
39:3-38	Counterfeiting plate or marker		Fine or revocation of driver's license not exceeding 6 months	\$50	\$100
39:3-38	Using other than issued marker			\$25	\$50
39:3-38	Using counterfeit plate		Fine or revocation of driver's license not exceeding 6 months, or both	\$50	\$100
39:3-40	Driving when license refused, suspended, revoked or prohibited		(See attached chart at the end of the schedule)		
39:3-70.2	Air pollution			\$25	\$100
39:3-76.2a	Restraint or booster seat for child under age 8	39:3-76.2d	Fine shall be suspended if defendant can prove possession and use of approved restraint	\$10	\$25
39:3-76.2f	Failure to wear seat belt	39:3-76.2j		\$20	\$20
39:3-76.5	Failure to equip motorcycles with permanent seat and footrests for passenger			\$50	\$100
39:3-79.8	Prohibition of supplying fuel to vehicle without label		First offense (penalty may be collected in accordance with N.J.S.A. 2A: 58-10 et seq.)	\$25	\$25
			Subsequent offense (penalty may be collected in accordance with N.J.S.A. 2A:58-10 et seq.)	\$50	\$50

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:3-80	Vehicle with inferior tires		First offense	\$50	\$100
			Subsequent offense	\$100	\$200
39:3-81	Tires fitted with projections		(penalty may be collected in accordance with N.J.S.A. 2A:58-10 et seq.)	\$25	\$50
39:3-84.3(i)	Violation of dimensional limitations			\$150	\$500
39:3-84.3(j)	Violation of weight limitations		Fine an amount equal to \$0.02 per pound for each pound of the total excess weight provided the total excess weight is 10,000 lbs. or less, or shall be fined an amount equal to \$0.03 per pound for each pound of the total excess weight provided that the total excess weight is more than 10,000 lbs., but in no event should the fine be less than \$50	\$50	none
39:3-84.3(l)	Violation of designated routes		First offense	none	\$400
			Second offense	\$700	\$700
			Subsequent offense	\$1000	\$1000
39:3B-25	School bus driver using cell phone			\$250	\$500
39:4-14.10	Electric personal assistive mobility device violations	39:4-14.11	First offense: Warning	none	none

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-14.10		39:4-14.11	Second offense	\$10	\$10
39:4-14.10		39:4-14.11	Third or subsequent offense, requires court to impound the device for not more than 30 days. A person who fails to comply with the requirements governing warning notices shall be fined not more than \$100 for each violation.	none	none
39:4-48	Operating or using a vehicle without consent of owner			\$100	none
39:4-49	Tampering with vehicle		First offense	\$10	\$50
			Subsequent offense: Fine or imprisonment not exceeding 30 days, or both	\$50	\$100
39:4-49.1	Operation of a motor vehicle while in possession of controlled dangerous substance		Fine and 2 years suspension of driver's license	\$50	none
39:4-50	Operating under the influence		(See attached chart at the end of the schedule)		
39:4-50.4a	Refusal to undergo breathalyzer test		(See attached chart at the end of the schedule)		
39:4-50.14	Operation of motor vehicle by person whose blood alcohol is between .01% and .08% and is under the legal age to purchase alcoholic beverages		Loss of license for not less than 30 days nor more than 90 days and perform community service for not less than 15 days nor more than 30 days. In addition, must satisfy program and fee requirements of the IDRC or participate in a program of alcohol education and highway safety. Penalties shall be in addition to the penalties which the court may impose under N.J.S.A. 2C:33-15, N.J.S.A. 33:1-81, N.J.S.A. 39:4-50, or any other law		

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-51a	Consumption of alcoholic beverage by operator passenger		First offense	\$200	\$200
			Second or subsequent offense: Fine or 10 days community service	\$250	\$250
39:4-51b	Possession of open container of alcohol in passenger compartment		First offense	\$200	\$200
			Subsequent offense: Fine or community service for 10 days	\$250	\$250
39:4-52	Racing on highway		First offense	\$25	\$100
			Subsequent offense	\$100	\$200
39:4-53	Leaving vehicle with engine running			\$10	\$25
39:4-56.1	Willful abandonment of motor vehicle to obstruct traffic	39:4-56.2	Fine and suspension of driver's license not less than 1 year nor more than 5 years	\$200	\$500
			Subsequent offense: Fine and suspension of driver's license for 5 years	\$500	\$1000

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-56.5	Abandonment of motor vehicle		First offense: Fine and license or driving privileges may be suspended or revoked for not more than 2 years Subsequent offense: Fine and license or driving privileges may be suspended or revoked for a period of not more than 5 years	\$100 \$500	\$500 \$1000
39:4-56.8	Failure of towing service to tow disabled vehicle			\$25	\$50
39:4-63	Placing, throwing, or depositing injurious substances on highway		Fine and may forfeit right to operate a motor vehicle for 30 days	\$100	\$500
39:4-64	Throwing or dropping debris from a vehicle			\$200	\$1000
39:4-66.2	Operation of motor vehicle on public or private property to avoid traffic signal		Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-76	Driving overweight vehicle on interstate bridge		\$0.02 per pound for each pound of excess weight if the excess does not exceed 10,000 pounds, and \$0.03 per pound for each pound of excess weight if the excess weight exceeds 10,000 pounds, but in no event less than \$50.00. In addition, the owner of the vehicle shall be responsible for damages to the bridge	\$50	none
39:4-77.1	Snow or ice falling off moving vehicle- non-commercial vehicle			\$200	\$1000
39:4-77.1	Snow or ice falling off moving vehicle- commercial vehicle			\$500	\$1500
39:4-80	Failure to obey directions of officer	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-81	Failure to obey traffic control device	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:-4-82	Failure to keep right	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-82.1	Failure to drive on right-hand roadway	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-83	Failure to keep to right at intersection	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-84	Failure to pass to right when proceeding in opposite direction	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-85	Failure to pass to left when overtaking	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-85.1	Wrong way on one-way street	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-86	Failure to overtake and pass properly	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-87	Failure to give overtaking vehicle right of way	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-87.1	Failure to yield to bus	39:4-203	Fine or imprisonment not exceeding 15 days, or both (effective 8/1/04)	\$50	\$200
39:4-88	Failure to drive properly in marked lanes	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-89	Following vehicle too closely	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-90	Failure to yield right of way at intersection	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-90.1	Entering or leaving limited access highways improperly	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-91	Failure to yield right of way to emergency vehicles	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-92	Failure to pull over for emergency vehicles and following an emergency vehicle too closely	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-92.1	Following fire department vehicle too closely back to fire station	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-94	Train unnecessarily blocking highway	39:4-104	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-96	Reckless driving		First offense: Fine or imprisonment not exceeding 60 days, or both	\$50	\$200
			Second or subsequent offense: Fine or imprisonment not exceeding 3 months, or both	\$100	\$500
39:4-97	Careless driving	39:4-104	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-97a	Motor vehicle operation causing property damage	39:4-104	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200

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39:4-97.1	Slow speed as to block traffic	39:4-104	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-97.2	Operating a motor vehicle in an unsafe manner, endangering persons or property		First offense; \$250 surcharge (for offenses occurring on or after July 1, 2004)	\$50	\$150
			Second offense; \$250 surcharge (for offenses occurring on or after July 1, 2004)	\$100	\$250
			Third or subsequent offense; \$250 surcharge (for offenses occurring on or after July 1, 2004)	\$200	\$500
39:4-97.3	Operating a motor vehicle while using a cell phone	39:4-97.3(d)	Effective July 1, 2004	\$100	\$250
39:4-98	Speeding	39:4-104	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-100	Speeding across sidewalk	39:4-104	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-115	Failure to make proper turn	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-116	Failure to make proper turn at arrow	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-117	Special pedestrian interval; pedestrian violation	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-117	Special pedestrian interval; motorist violation	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-119	Failure to observe flashing traffic signals	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-122	Failure to obey whistle of police officer	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-123	Failure to make proper turn	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-124	Failure to turn as indicated by buttons or markers at intersection	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-125	U-Turn on curve or grade where view obstructed or "No-U-Turn" sign	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-126	Failure to signal before starting, turning or stopping	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-127	Backing or turning in street	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-127.1	Failure to stop at railroad crossings	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-127.2	Failure to stop at approaches to movable span bridges	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-128.1	Passing school bus while picking up or discharging		First offense: Fine or imprisonment not exceeding 15 days or 15 days community service, or both	\$100	none
			Subsequent offense: Fine or imprisonment not exceeding 15 days, or both	\$250	none

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39:4-129(a)	Leaving the scene of accident involving injury or death		First offense: Fine or 180 days imprisonment, or both, and suspension of driving privileges for 1 year from date of conviction. Imprisonment shall be imposed only if death or injury to another person	\$2500	\$5000
39:4-129(a)	Leaving the scene of accident involving injury or death		Subsequent offense: Fine or 180 days imprisonment from date of conviction, or both, and permanent forfeiture of driver's license. Imprisonment shall be imposed only if death or injury to another person	\$2500	\$5000
39:4-129(b)	Leaving the scene of accident involving damages to attended vehicle or property		First offense: Fine or imprisonment not exceeding 30 days, or both, and suspension of driving privileges for six months from date of conviction	\$200	\$400
			Subsequent offense: Fine or imprisonment not less than 30 days nor more than 90 days, or both, and suspension of driving privileges for 1 year from date of conviction	\$400	\$600
39:4-129(d)	Leaving the scene of accident involving damages to unattended vehicle or property		First offense: Fine or imprisonment not exceeding 30 days, or both, and suspension of driving privileges for six months from date of conviction	\$200	\$400
			Subsequent offense: Fine or imprisonment not less than 30 days nor more than 90 days, or both, and suspension of driving privileges for 1 year from date of conviction	\$400	\$600
39:4-130	Failure to report accident			\$30	\$100
39:4-132	Failure of repairman to report damages		Fine or imprisonment not less than 30 days nor more than 90 days, or both	\$100	\$500
39:4-144	Failure to obey "Stop" or "Yield Right of Way" signs	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200
39:4-145	Failure to yield to a line of vehicles entering stop or yield intersection after stopping	39:4-203	Fine or imprisonment not exceeding 15 days, or both	\$50	\$200

<i>Offense- N.J.S.A.</i>	<i>Description</i>	<i>Fine/ Penalty found at N.J.S.A.</i>	<i>Number of Offenses/ Additional Penalties</i>	<i>Minimum Fine</i>	<i>Maximum Fine</i>
39:4-207.9	Failure to maintain handicapped parking space			\$200	\$500
39:4-208	Improper traffic & parking on State property	39:4-209		\$1	\$15
39:4-208	Altering, contereiting or misuse of State parking permits	39:4-209		none	\$50
39:6B-2	Failure to carry motor vehicle insurance coverage		First offense: Fine and a period of community service as determined by the court, and suspension of driving privileges for 1 year Subsequent offense: Fine and shall be subject to 14 days imprisonment, and 30 days community service and suspension of driving privileges for 2 years from date of conviction	\$300 none	\$1000 \$5000
39:8-18	Affixing approval sticker without re-inspection or conformity to standards		First offense: Fine and suspension of re-inspection center's license for at least 1 year but not more than 3 years Subsequent offense: Fine and permanent revocation of reinspection center's license	\$1000 \$2000	\$1500 \$3500
39:9-2	Commercial driver exceeding maximum permitted on-duty hours	39:9-4	First offense: If default in payment of fine, defendant shall be imprisoned for not more than 5 days Subsequent offense: If default in payment of fine, defendant shall be imprisoned for not more than 10 days	\$25 \$50	\$25 \$50
39:10-10	Failure to deliver certificate of ownership			\$25	\$25
39:10-12	False application for a duplicate certificate of ownership		Fine or imprisonment not exceeding 30 days, or both	\$200	\$500

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39:10B-2	Identification of motor component parts: Violation of record maintenance requirements		Fine or imprisonment not exceeding 90 days, or both.	\$25	\$100
39:11-3	Operating a junk yard without a license	39:11-11	Fine or imprisonment not exceeding 90 days, or both	\$25	\$100
39:11-9	Failure of junk yard owner to certify the condition of vehicles sold	39:11-11	Fine or imprisonment not exceeding 90 days, or both	\$25	\$100
39:12-2	Operating a driving school without a license	39:12-12	First offense: Fine or imprisonment not less than 10 days nor more than 30 days, or both	\$100	\$250
			Subsequent offense: Fine or imprisonment not less than 30 days nor more than 3 months, or both	\$250	\$500
39:12-2.1	Failure of driving school instructor to receive required training	39:12-12	First offense: Fine or imprisonment not less than 10 days nor more than 30 days, or both	\$100	\$250
			Subsequent offense: Fine or imprisonment not less than 30 days nor more than 3 months, or both	\$250	\$500
39:12-5	Driving school employing an unlicensed instructor	39:12-12	First offense: Fine or imprisonment not less than 10 days nor more than 30 days, or both	\$100	\$250
			Subsequent offense: Fine or imprisonment not less than 30 days nor more than 3 months, or both	\$250	\$500
39:12-11	Driving school failing to keep records	39:12-12	First offense: Fine or imprisonment not less than 10 days nor more than 30 days, or both	\$100	\$250
			Subsequent offense: Fine or imprisonment not less than 30 days nor more than 3 months, or both	\$250	\$500

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39:12-15	Failure to wear seat belts in driver's school (instructor and student)		First offense	\$25	\$25
			Subsequent offense	\$50	\$50