P.L. 2025, CHAPTER 41, ***approved April 3, 2025***
Senate, No. 4144

AN ACT clarifying time frames of ignition interlock devices and amending R.S.39:4-50.

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

1. R.S.39:4-50 is amended to read as follows:

39:4-50. (a) A person who operates a motor vehicle while under the influence of intoxicating liquor, narcotic, hallucinogenic or habit-producing drug, or operates a motor vehicle with a blood alcohol concentration of 0.08 percent or more by weight of alcohol in the defendant's blood or permits another person who is under the influence of intoxicating liquor, narcotic, hallucinogenic or habit-producing drug to operate a motor vehicle the person owns or which is in the person's custody or control or permits another to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or more by weight of alcohol in the defendant's blood shall be subject:

(1) For the first offense:

(i) if the person's blood alcohol concentration is 0.08 percent or higher but less than 0.10 percent, or the person operates a motor vehicle while under the influence of intoxicating liquor, or the person permits another person who is under the influence of intoxicating liquor to operate a motor vehicle owned by him or in his custody or control or permits another person with a blood alcohol concentration of 0.08 percent or higher but less than 0.10 percent to operate a motor vehicle, to a fine of not less than $250 nor more than $400 and a period of detainment of not less than 12 hours nor more than 48 hours spent during two consecutive days of not less than six hours each day and served as prescribed by the program requirements of the Intoxicated Driver Resource Centers established under subsection (f) of this section and, in the discretion of the court, a term of imprisonment of not more than 30 days. In addition, the court shall order the person to forfeit the right to operate a motor vehicle over the highways of this State until the person installs an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, for the purpose of complying with the provisions of P.L.1999, c.417 (C.39:4-50.16 et al.). A person who has been arrested for a violation of this section whose blood alcohol concentration was at least 0.08 percent but less than 0.10 percent or

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 <u>thus</u> is new matter.

who was otherwise under the influence of intoxicating liquor may, upon arrest and prior to any conviction, voluntarily install an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, and request from the New Jersey Motor Vehicle Commission a driver's license with a notation stating that the person shall not operate a motor vehicle unless it is equipped with an ignition interlock device pursuant to subsection b. of section 3 of P.L.1999, c.417 (C.39:4-50.18). The request shall include a copy of the interlock installer's certification and documentation of pending charges as determined by the Chief Administrator of the Motor Vehicle Commission to be submitted no later than seven days after receipt of the documentation. A person who installs an ignition interlock device and obtains a driver's license with the appropriate notation pursuant to this subparagraph shall not be subject to a fine pursuant to this subparagraph if the person possessed a valid New Jersey driver's license in good standing at the time of the offense and maintained a license in good standing until the date of conviction;

(ii) if the person's blood alcohol concentration is 0.10 percent or higher, or the person operates a motor vehicle while under the influence of a narcotic, hallucinogenic or habit-producing drug, or the person permits another person who is under the influence of a narcotic, hallucinogenic or habit-producing drug to operate a motor vehicle owned by him or in his custody or control, or permits another person with a blood alcohol concentration of 0.10 percent or more to operate a motor vehicle, to a fine of not less than $300 nor more than $500 and a period of detainment of not less than 12 hours nor more than 48 hours spent during two consecutive days of not less than six hours each day and served as prescribed by the program requirements of the Intoxicated Driver Resource Centers established under subsection (f) of this section and, in the discretion of the court, a term of imprisonment of not more than 30 days. A person who has been arrested for a violation of this section whose blood alcohol concentration was 0.10 percent or higher may, upon arrest and prior to any conviction, voluntarily install an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, and request from the Motor Vehicle Commission a driver's license with a notation stating that the person shall not operate a motor vehicle unless it is equipped with an ignition interlock device pursuant to subsection b. of section 3 of P.L.1999, c.417 (C.39:4-50.18). The request shall include a copy of the interlock installer's certification and documentation of pending charges as determined by the Chief Administrator of the New Jersey Motor Vehicle Commission to be submitted no later than seven days after receipt of the documentation. A person who installs an ignition interlock device and obtains a driver's license with the appropriate notation pursuant

to this subparagraph shall not be subject to a fine pursuant to this subparagraph if the person possessed a valid New Jersey driver's license in good standing at the time of the offense and maintained a license in good standing until the date of conviction;

in the case of a person who is convicted of operating a motor vehicle while under the influence of a narcotic, hallucinogenic or habit-producing drug or permitting another person who is under the influence of a narcotic, hallucinogenic or habit-producing drug to operate a motor vehicle owned by the person or under the person's custody or control, the person shall forfeit the right to operate a motor vehicle over the highways of this State for a period of not less than seven months nor more than one year;

in the case of a person whose blood alcohol concentration is 0.10 percent or higher but less than 0.15 percent, the person shall forfeit the right to operate a motor vehicle over the highways of this State until the person installs an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, for the purpose of complying with the provisions of P.L.1999, c.417 (C.39:4-50.16 et al.);

in the case of a person whose blood alcohol concentration is 0.15 percent or higher, the person shall forfeit the right to operate a motor vehicle over the highways of this State for a period of three months following installation of an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, for the purpose of complying with the provisions of P.L.1999, c.417 (C.39:4-50.16 et al.). A person who has been arrested for a violation of this section whose blood alcohol concentration was 0.15 percent or higher may, upon arrest and prior to any conviction, voluntarily install an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, and request from the Motor Vehicle Commission a driver's license with a notation stating that the person shall not operate a motor vehicle unless it is equipped with an ignition interlock device pursuant to subsection b. of section 3 of P.L.1999, c.417 (C.39:4-50.18). The request shall include a copy of the interlock installer's certification and documentation of pending charges as determined by the Chief Administrator of the New Jersey Motor Vehicle Commission to be submitted no later than seven days after receipt of the documentation. A person who installs an ignition interlock device and obtains a driver's license with the appropriate notation pursuant to this subparagraph shall receive a one-day credit against the period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this subparagraph for every two days that the person has an ignition interlock device installed and a driver's license with the appropriate notation and shall not be subject to a fine pursuant to this subparagraph if the person possessed a valid New Jersey driver's

license in good standing at the time of the offense and maintained a license in good standing until the date of conviction. A person shall not be entitled to a credit against the period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this subparagraph if the violation of this section resulted in serious bodily injury as defined in N.J.S.2C:11-1 to another person;

(iii) (Deleted by amendment, P.L.2019, c.248)

(2) For a second violation, a person shall be subject to a fine of not less than $500 nor more than $1,000, and shall be ordered by the court to perform community service for a period of 30 days, which shall be of such form and on terms the court shall deem appropriate under the circumstances, and shall be sentenced to imprisonment for a term of not less than 48 consecutive hours, which shall not be suspended or served on probation, or more than 90 days, and shall forfeit the right to operate a motor vehicle over the highways of this State for a period of not less than one year or more than two years upon conviction. A person who has been arrested for a second violation of this section may, upon arrest and prior to any conviction, voluntarily install an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, and request from the Motor Vehicle Commission a driver's license with a notation stating that the person shall not operate a motor vehicle unless it is equipped with an ignition interlock device pursuant to subsection b. of section 3 of P.L.1999, c.417 (C.39:4-50.18). The request shall include a copy of the interlock installer's certification and documentation of pending charges as determined by the Chief Administrator of the New Jersey Motor Vehicle Commission to be submitted no later than seven days after receipt of the documentation. A person who installs an ignition interlock device and obtains a driver's license with the appropriate notation pursuant to this paragraph shall receive a one-day credit against the period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this paragraph for every two days that the person has an ignition interlock device installed and a driver's license with the appropriate notation and shall not be subject to a fine pursuant to this paragraph if the person possessed a valid New Jersey driver's license in good standing at the time of the offense and maintained a license in good standing until the date of conviction. A person shall not be entitled to a credit against the period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this paragraph if the violation of this section resulted in serious bodily injury as defined in N.J.S.2C:11-1 to another person.

After the expiration of the license forfeiture period, the person may make application to the Chief Administrator of the New Jersey Motor Vehicle Commission for a license to operate a motor vehicle,

which application may be granted at the discretion of the chief administrator, consistent with subsection (b) of this section. For a second violation, a person also shall be required to install an ignition interlock device under the provisions of P.L.1999, c.417 (C.39:4-50.16 et al.).

(3) For a third or subsequent violation, a person shall be subject to a fine of $1,000, and shall be sentenced to imprisonment for a term of not less than 180 days in a county jail or workhouse, except that the court may lower such term for each day, not exceeding 90 days, served participating in a substance use disorder inpatient rehabilitation program approved by the Intoxicated Driver Resource Center and shall thereafter forfeit the right to operate a motor vehicle over the highways of this State for eight years. A person who has been arrested for a third or subsequent violation of this section may, upon arrest and prior to any conviction, voluntarily install an ignition interlock device in one motor vehicle the person owns, leases, or principally operates, whichever the person most often operates, and request from the Motor Vehicle Commission a driver's license with a notation stating that the person shall not operate a motor vehicle unless it is equipped with an ignition interlock device pursuant to subsection b. of section 3 of P.L.1999, c.417 (C.39:4-50.18). The request shall include a copy of the interlock installer's certification and documentation of pending charges as determined by the Chief Administrator of the New Jersey Motor Vehicle Commission to be submitted no later than seven days after receipt of the documentation. A person who installs an ignition interlock device and obtains a driver's license with the appropriate notation pursuant to this paragraph shall receive a one-day credit against the period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this paragraph for every two days that the person has an ignition interlock device installed and a driver's license with the appropriate notation and shall not be subject to a fine pursuant to this paragraph if the person possessed a valid New Jersey driver's license in good standing at the time of the offense and maintained a license in good standing until the date of conviction. A person shall not be entitled to a credit against the period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this paragraph if the violation of this section resulted in serious bodily injury as defined in N.J.S.2C:11-1 to another person.

For a third or subsequent violation, a person also shall be required to install an ignition interlock device under the provisions of P.L.1999, c.417 (C.39:4-50.16 et al.).

<u>Any person who is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this section may, in lieu of forfeiting the right to operate a motor vehicle, install an ignition interlock device and receive a one day credit against the</u>

period that the person is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to this section for every two days that the person has the ignition interlock device installed. A person shall not be entitled to this credit if the violation of this section resulted in serious bodily injury as defined in N.J.S.2C:11-1 to another person. In addition, a person who has been arrested or convicted of operating a motor vehicle while under the influence of a narcotic, hallucinogenic, or habit-producing drug or permitting another person who is under the influence of a narcotic, hallucinogenic, or habit-producing drug to operate a motor vehicle owned by the person or under the person's custody or control pursuant to the provisions of this section or a person who has been convicted of operating a commercial motor vehicle under the influence of a controlled substance pursuant to section 5 of P.L.1990, c.103 (C.39:3-10.13) shall not be eligible for this credit.

Notwithstanding any judicial directive to the contrary, upon recommendation by the prosecutor, a plea agreement under this section is authorized under the appropriate factual basis consistent with any other violation of Title 39 of the Revised Statutes or offense under Title 2C of the New Jersey Statutes; provided, however, that if a person is convicted of operating a motor vehicle while under the influence of a narcotic, hallucinogenic, or habit-producing drug or permitting another person who is under the influence of a narcotic, hallucinogenic, or habit-producing drug to operate a motor vehicle owned by the person or under the person's custody or control pursuant to the provisions of R.S.39:4-50 or a person is convicted of operating a commercial motor vehicle under the influence of a controlled substance pursuant to section 5 of P.L.1990, c.103 (C.39:3-10.13), the person shall forfeit the right to operate a motor vehicle over the highways of this State for a period of not less than six months.

As used in this section, the phrase "narcotic, hallucinogenic or habit-producing drug" includes an inhalant or other substance containing a chemical capable of releasing any toxic vapors or fumes for the purpose of inducing a condition of intoxication, such as any glue, cement or any other substance containing one or more of the following chemical compounds: acetone and acetate, amyl nitrite or amyl nitrate or their isomers, benzene, butyl alcohol, butyl nitrite, butyl nitrate or their isomers, ethyl acetate, ethyl alcohol, ethyl nitrite or ethyl nitrate, ethylene dichloride, isobutyl alcohol or isopropyl alcohol, methyl alcohol, methyl ethyl ketone, nitrous oxide, n-propyl alcohol, phencyclidine, petroleum ether, propyl nitrite or propyl nitrate or their isomers, toluene, toluol or xylene or any other chemical substance capable of causing a condition of intoxication, inebriation, excitement, stupefaction or the dulling of the brain or nervous system as a result of the inhalation of the fumes or vapors of such chemical substance.

Whenever an operator of a motor vehicle has been involved in an accident resulting in death, bodily injury or property damage, a police officer shall consider that fact along with all other facts and circumstances in determining whether there are reasonable grounds to believe that person was operating a motor vehicle in violation of this section.

A conviction of a violation of a law of a substantially similar nature in another jurisdiction, regardless of whether that jurisdiction is a signatory to the Interstate Driver License Compact pursuant to P.L.1966, c.73 (C.39:5D-1 et seq.), shall constitute a prior conviction under this subsection unless the defendant can demonstrate by clear and convincing evidence that the conviction in the other jurisdiction was based exclusively upon a violation of a proscribed blood alcohol concentration of less than 0.08 percent.

If the driving privilege of any person is under revocation or suspension for a violation of any provision of this Title or Title 2C of the New Jersey Statutes at the time of any conviction for a violation of this section, the revocation or suspension period imposed shall commence as of the date of termination of the existing revocation or suspension period. In the case of any person who at the time of the imposition of sentence is less than 17 years of age, the forfeiture, suspension or revocation of the driving privilege imposed by the court under this section shall commence immediately, run through the offender's 17th birthday and continue from that date for the period set by the court pursuant to paragraphs (1) through (3) of this subsection. A court that imposes a term of imprisonment for a first or second offense under this section may sentence the person so convicted to the county jail, to the workhouse of the county wherein the offense was committed, to an inpatient rehabilitation program or to an Intoxicated Driver Resource Center or other facility approved by the chief of the Intoxicated Driving Program in the Division of Mental Health and Addiction Services in the Department of Human Services. For a third or subsequent offense a person shall not serve a term of imprisonment at an Intoxicated Driver Resource Center as provided in subsection (f) of this section.

A person who has been convicted of a previous violation of this section need not be charged as a second or subsequent offender in the complaint made against the person in order to render the person liable to the punishment imposed by this section on a second or subsequent offender, but if the second offense occurs more than 10 years after the first offense, the court shall treat the second conviction as a first offense for sentencing purposes and if a third offense occurs more than 10 years after the second offense, the court shall treat the third conviction as a second offense for sentencing purposes.

(b) A person convicted under this section must satisfy the screening, evaluation, referral, program and fee requirements of the

Division of Mental Health and Addiction Services' Intoxicated Driving Program, and of the Intoxicated Driver Resource Centers and a program of substance use disorder education and highway safety, as prescribed by the chief administrator. The sentencing court shall inform the person convicted that failure to satisfy such requirements shall result in a mandatory two-day term of imprisonment in a county jail and a driver license revocation or suspension and continuation of revocation or suspension until such requirements are satisfied, unless stayed by court order in accordance with the Rules Governing the Courts of the State of New Jersey, or R.S.39:5-22. Upon sentencing, the court shall forward to the Division of Mental Health and Addiction Services' Intoxicated Driving Program a copy of a person's conviction record. A fee of $100 shall be payable to the Alcohol Education, Rehabilitation and Enforcement Fund established pursuant to section 3 of P.L.1983, c.531 (C.26:2B-32) to support the Intoxicated Driving Program.

(c) Upon conviction of a violation of this section, the court shall collect forthwith the New Jersey driver's license or licenses of the person so convicted and forward such license or licenses to the chief administrator. The court shall inform the person convicted that if the person is convicted of personally operating a motor vehicle during the period of license suspension imposed pursuant to subsection (a) of this section, the person shall, upon conviction, be subject to the penalties established in R.S.39:3-40. The person convicted shall be informed orally and in writing. A person shall be required to acknowledge receipt of that written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of a written notice shall not be a defense to a subsequent charge of a violation of R.S.39:3-40. In the event that a person convicted under this section is the holder of any out-of-State driver's license, the court shall not collect the license but shall notify forthwith the chief administrator, who shall, in turn, notify appropriate officials in the licensing jurisdiction. The court shall, however, revoke the nonresident's driving privilege to operate a motor vehicle in this State, in accordance with this section. Upon conviction of a violation of this section, the court shall notify the person convicted, orally and in writing, of the penalties for a second, third or subsequent violation of this section. A person shall be required to acknowledge receipt of that written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of a written notice shall not be a defense to a subsequent charge of a violation of this section.

(d) The chief administrator shall promulgate rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) in order to establish a program of alcohol education and highway safety, as prescribed by this act.

(e) Any person accused of a violation of this section who is liable to punishment imposed by this section as a second or subsequent offender shall be entitled to the same rights of discovery as allowed defendants pursuant to the Rules Governing the Courts of the State of New Jersey.

(f) The counties, in cooperation with the Division of Mental Health and Addiction Services and the commission, but subject to the approval of the Division of Mental Health and Addiction Services, shall designate and establish on a county or regional basis Intoxicated Driver Resource Centers. These centers shall have the capability of serving as community treatment referral centers and as court monitors of a person's compliance with the ordered treatment, service alternative or community service. All centers established pursuant to this subsection shall be administered by a counselor certified by the Addiction Professionals Certification Board of New Jersey or other professional with a minimum of five years' experience in the treatment of alcohol use disorder. All centers shall be required to develop individualized treatment plans for all persons attending the centers; provided that the duration of any ordered treatment or referral shall not exceed one year. It shall be the center's responsibility to establish networks with the community substance use disorder education, treatment and rehabilitation resources and to receive monthly reports from the referral agencies regarding a person's participation and compliance with the program. Nothing in this subsection shall bar these centers from developing their own education and treatment programs; provided that they are approved by the Division of Mental Health and Addiction Services.

Upon a person's failure to report to the initial screening or any subsequent ordered referral, the Intoxicated Driver Resource Center shall promptly notify the sentencing court of the person's failure to comply.

Required detention periods at the Intoxicated Driver Resource Centers shall be determined according to the individual treatment classification assigned by the Intoxicated Driving Program. Upon attendance at an Intoxicated Driver Resource Center, a person shall be required to pay a per diem fee of $75 for the first offender program or a per diem fee of $100 for the second offender program, as appropriate. Any increases in the per diem fees after the first full year shall be determined pursuant to rules and regulations adopted by the Commissioner of Human Services in consultation with the Governor's Council on Substance Use Disorder Abuse pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

The centers shall conduct a program of substance use disorder education and highway safety, as prescribed by the chief administrator.

The Commissioner of Human Services shall adopt rules and regulations pursuant to the "Administrative Procedure Act,"

P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the purposes of this subsection.

(g) (Deleted by amendment, P.L.2019, c.248)

(h) A court also may order a person convicted pursuant to subsection (a) of this section, to participate in a supervised visitation program as either a condition of probation or a form of community service, giving preference to those who were under the age of 21 at the time of the offense. Prior to ordering a person to participate in such a program, the court may consult with any person who may provide useful information on the defendant's physical, emotional and mental suitability for the visit to ensure that it will not cause any injury to the defendant. The court also may order that the defendant participate in a counseling session under the supervision of the Intoxicated Driving Program prior to participating in the supervised visitation program. The supervised visitation program shall be at one or more of the following facilities which have agreed to participate in the program under the supervision of the facility's personnel and the probation department:

(1) a trauma center, critical care center or acute care hospital having basic emergency services, which receives victims of motor vehicle accidents for the purpose of observing appropriate victims of drunk drivers and victims who are, themselves, drunk drivers;

(2) a facility which cares for persons with advanced substance use disorder, to observe persons in the advanced stages of substance use disorder; or

(3) if approved by a county medical examiner, the office of the county medical examiner or a public morgue to observe appropriate victims of vehicle accidents involving drunk drivers.

As used in this section, "appropriate victim" means a victim whose condition is determined by the facility's supervisory personnel and the probation officer to be appropriate for demonstrating the results of accidents involving drunk drivers without being unnecessarily gruesome or traumatic to the defendant.

If at any time before or during a visitation the facility's supervisory personnel and the probation officer determine that the visitation may be or is traumatic or otherwise inappropriate for that defendant, the visitation shall be terminated without prejudice to the defendant. The program may include a personal conference after the visitation, which may include the sentencing judge or the judge who coordinates the program for the court, the defendant, defendant's counsel, and, if available, the defendant's parents to discuss the visitation and its effect on the defendant's future conduct. If a personal conference is not practicable because of the defendant's absence from the jurisdiction, conflicting time schedules, or any other reason, the court shall require the defendant to submit a written report concerning the visitation experience and its impact on the defendant. The county, a court, any facility visited

pursuant to the program, any agents, employees, or independent contractors of the court, county, or facility visited pursuant to the program, and any person supervising a defendant during the visitation, are not liable for any civil damages resulting from injury to the defendant, or for civil damages associated with the visitation which are caused by the defendant, except for willful or grossly negligent acts intended to, or reasonably expected to result in, that injury or damage.

The Supreme Court may adopt court rules or directives to effectuate the purposes of this subsection.

(i) In addition to any other fine, fee, or other charge imposed pursuant to law, the court shall assess a person convicted of a violation of the provisions of this section a surcharge of $125, of which amount $50 shall be payable to the municipality in which the conviction was obtained, $50 shall be payable to the Treasurer of the State of New Jersey for deposit into the General Fund, and $25 which shall be payable as follows: in a matter where the summons was issued by a municipality's law enforcement agency, to that municipality to be used for the cost of equipping police vehicles with mobile video recording systems pursuant to the provisions of section 1 of P.L.2014, c.54 (C.40A:14-118.1); in a matter where the summons was issued by a county's law enforcement agency, to that county; and in a matter where the summons was issued by a State law enforcement agency, to the General Fund.

(cf: P.L.2023, c.191, s.2)

2. This act shall take effect immediately, shall apply to any offense occurring on or after the effective date, and shall expire on January 1, 2029.

STATEMENT

This bill clarifies P.L.2023, c.191 and the installation of ignition interlock devices (IID) for certain driving while intoxicated (DWI) offenses.

Under current law, for a first DWI offense, a person whose blood alcohol concentration was 0.15% or higher is required to forfeit the right to operate a motor vehicle for a period of three months and is required to install an IID during the period of license forfeiture and for an additional 12 to 15 months thereafter. For a second DWI offense, a person is required to forfeit the right to operate a motor vehicle for a period of one to two years and is required to install an IID during the period of license forfeiture and for an additional two to four years thereafter. For a third or subsequent DWI offense, a person is required to forfeit the right to operate a motor vehicle for eight years and is required to install an IID during the period of license forfeiture and for an additional two to four years thereafter.

A person may receive a one day credit against the period of license forfeiture for every two days that the person has the ignition interlock device installed under certain conditions.

Under the provisions of this bill, any person who is required to forfeit the right to operate a motor vehicle over the highways of this State pursuant to current law may, in lieu of forfeiting the right to operate a motor vehicle, install an ignition interlock device and receive a one day credit against the period of license forfeiture pursuant to current law for every two days that the person has the ignition interlock device installed.

The bill provides that a person is not entitled to this credit if the violation of R.S.39:4-50 resulted in serious bodily injury to another person. In addition, a person who has been arrested or convicted of operating or permitting another person to operate a motor vehicle while under the influence of a narcotic, hallucinogenic, or habit-producing drug pursuant to the provisions of R.S.39:4-50 or a person who is convicted of operating a commercial motor vehicle under the influence of a controlled substance pursuant to section 5 of P.L.1990, c.103 (C.39:3-10.13) is also not eligible for this credit.

The provisions of this bill take effect immediately and apply to any offense occurring on or after the effective date. The bill's provisions expire on January 1, 2029 to conform to the expiration of P.L.2019, c.248 and P.L.2023, c.191 which also expire on January 1, 2029 and concern the installation of ignition interlock devices.

Clarifies installation of ignition interlock devices for certain DWI offenses.