

DUI/DWI

NJ Attorneys for DWI and Other Traffic Tickets

Our DWI clients run the spectrum of society, from CEOs, doctors, lawyers, and accountants to anyone who operates a motor vehicle and consumes alcohol or drugs while driving. New Jersey is a “per se offense” state, which means that an individual with a blood alcohol content of .08% or higher can be convicted of a DWI offense. There are three tiers:

- If the blood alcohol content (BAC) is .08 % to less than .10%, it is a first tier offense, carrying a requirement that an Ignition Interlock Device (IID) be installed for a period of three months, together with monetary fines, penalties, and surcharges.
- If the BAC is .10 % and up to .15%, then there is a requirement that an IID be installed for seven to 12 months.
- If the BAC is .15% or above, there is potential for a four- to six-month license suspension in addition to a requirement that an IID be installed for nine to 15 months thereafter.

For second offenders, there is a one- to two-year loss of license, as well as a requirement that an IID be installed for two to four years thereafter; increased monetary damages and the potential of some jail time (although few, if any, second offenders go to jail); and 30 days of community service imposed.

For a third or subsequent offense, there is an eight-year loss of license and a mandatory 180 days in the county jail, which must be served day-for-day, although 90 of the 180 days in jail may be served on admission to an in-patient substance abuse program.

In addition to alcohol violations, an individual who is under the influence of either legal prescription drugs or illegal drugs can also be convicted of driving under the influence (DUI), which can be proven through blood or urine results, or the testimony of the state drug recognition expert. The penalty for a first offense for a DUI is a seven- to 12-month suspension — there is no three-month license loss for that category. The penalties for a second or third offense are the same.

Our attorneys have extensive experience in handling DWI/DUI matters throughout the state. In addition to defending such matters, our practice group includes attorneys with experience serving as both a municipal prosecutor and municipal public defender. They have unique insights into all aspects of motor vehicle violations and especially representing people who have been charged with DWI/DUI.

A successful DWI/DUI attorney must be aware of all of the case law and potential statutory defenses. The attorney also must have connections with expert witnesses who will assist in the proper preparation of a defense. Significant defenses can be raised based on the various testing protocols in DWI/DUI cases, which include the performance of field testing, the operation of breath testing devices, and the use by the state of blood and urine testing. We have represented hundreds of individuals on DWI cases in municipal court.

Our New Jersey law firm offers vigorous defense against driving violations, including:

- DWI (Driving While Intoxicated)
 - First Offense DWI
 - Second Offense DWI
 - Third Offense DWI
 - Refusal to Submit to Breath Testing
- DUI (Driving Under the Influence of Drugs)
- Underage DWI
- Reckless or Careless Driving
- Illegal Parking
- Speeding