

MANY PARENTS ARE UNDER THE MISCONCEPTION THAT HOSTING PARTIES IN THEIR HOMES, ALLOWING UNDERAGE YOUTH TO DRINK ALCOHOL WILL KEEP THEM SAFE. BUT THERE ARE NO GUARANTEES. RESEARCH STATES THAT YOUTH WHO GET A MESSAGE FROM PARENTS THAT IT IS OK TO DRINK REGARDLESS OF THE SETTING, ARE MORE LIKELY TO ENGAGE IN A VARIETY OF HIGH RISK BEHAVIORS INCLUDING DRIVING WHILE INTOXICATED, EXPERIMENTING WITH OTHER DRUGS, AND MAKING POOR DECISIONS IN MANY SOCIAL SETTINGS. THESE RISKY BEHAVIORS OFTEN LEAD TO TRAGEDIES. WE ALSO KNOW THAT PARENTS WHO SEND A CLEAR MESSAGE THAT UNDERAGE DRINKING IS NOT ACCEPTABLE HAVE CHILDREN WHO TAKE LESS RISKS.

**PERMITTING YOUTH TO DRINK IN YOUR HOME NOT ONLY INCREASES THE DANGERS OF RISKY BEHAVIORS, IT IS NOW ILLEGAL.**

**§ 162-7 Exemption**

A person under the age of 21 years shall not be prohibited from:

Processing or consuming an alcoholic beverage in connection with a religious observance, ceremony or rite or processing or consuming an alcoholic beverage in the presence of and with the permission of a parent, guardian, or relative who has attained the legal age to purchase or consume alcoholic beverages; or

Processing an alcoholic beverage while engaged in the performance by a person who is licensed under Title 33 of the Revisited Statutes of New Jersey or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or postsecondary educational institution.

**§ 162-7 Good Samaritan Exemption**

A person who affirmatively requests assistance from authorities (such as via a 911 call) or from an off-site adult (such as a parent, guardian, or neighboring adult) for the purposes of seeking aid for a person who is suffering from the effects of alcohol or otherwise is in need of medical assistance shall not be charged with underage possession or consumption of alcohol on private property, as long as assistance is provided as a result of such a request. In instance where such request for assistance is made, and the person to whom the assistance is provided is under the age of 21, that person also shall not be charged with underage possession or consumption of alcohol on private property.

**§ 162-9 Call to Aid Exemption**

A person who is a resident of a dwelling on private property who affirmatively requests assistance from authorities (such as via a 911 call) or from an off-site adult (such as a parent, guardian, or neighboring resident) for the purpose of controlling or removing nonresidents who are on that property shall not be charged with underage possession or consumption of alcohol on private property, as long as assistance is provided as a result of such request.

**§ 162-11 Violations & Penalties**

A violation of this article by an underage person shall be punished by a fine of \$250 for a first offense, and \$350 for any subsequent offense. In addition, the court may, in its discretion, require the performance of community-related service.

**§162-12 Driving Privilege Suspension of Minors for Violations**

**A.** The court may, in addition to the penalty authorized for a violation of this article, suspend or postpone for six months the driving privileges of a convicted underage person. Upon the conviction of any underage person and the suspension/postponement of that person's driver's license, the court shall forward a report to the DMV stating the first and last day of the suspension/postponement period imposed by the court. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement... shall commence on the day the sentence is imposed and shall run for a period of six months. after the person attains the age of 17 years.

**B.** If an underage person at the time of the imposition of a sentence has a valid driver's license issued by the state, the court may immediately collect the license and forward it to the Division along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address date of birth, eye color, and sex of the person, as

well as the first and last date of the license suspension period imposed by the court.

**C.** The court shall inform the underage person orally and in writing that if the person is convicted... the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the 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 N.J.S.A. 39:3-40.

**D.** If a convicted underage person is not a NJ resident, the court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division the required report... the Division shall notify the appropriate officials... of the convicted underage person of the suspension or postponement.



**Toms River Alcohol & Substance Awareness Programs**  
**For more information contact your school Student Assistance Coordinator**