

TITLE 9: VEHICLE CODE
DIVISION 7: SERIOUS TRAFFIC OFFENSES AND PENALTIES

§ 7109. Penalties for Driving Under the Influence of Drugs or Alcohol.

(a) Every person who is convicted of a violation of 9 CMC § 7105 shall be punished by imprisonment for not less than 72 hours nor more than one year, and by a fine of not less than \$500 nor more than \$1,000, and the privilege of that person to operate a motor vehicle shall be suspended by the court for not less than 30 days nor more than six months.

(b) On a second or subsequent conviction within a period of five years, the person shall be punished by imprisonment for not less than 30 days nor more than one year, and a fine of \$1,000. In addition, the privilege of that person to operate a motor vehicle shall be suspended by the court for not less than six months nor more than one year.

(c) Any person convicted of an offense under subsections (a) or (b) of this section may not be granted probation by the court as to the minimum mandatory period of imprisonment, minimum mandatory fine, or minimum mandatory period of suspension of the privilege to operate a vehicle, nor may the court suspend the execution of the portions of the sentence imposed upon that person.

(d) Every person who, while under the influence of alcohol or drugs, operates a vehicle, and when so operating does any act forbidden by law or neglects any duty imposed by law in the driving of the vehicle, which act or neglect proximately causes grievous bodily injury to any person other than himself or herself is guilty of a felony punishable by a fine of not less than \$1,000 nor more than five years, or by both such fine and imprisonment.

Source: PL 3-61, § 1 (§ 709); amended by PL 9-44, § 4.