

-14 Possession or Consumption of Alcoholic Beverages by Underaged Persons on Private Property.

a. It shall be unlawful for any person under the legal age to purchase and consume alcoholic beverages, to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property.

b. A person under the legal age to purchase and consume alcoholic beverages may consume or possess an alcoholic beverage on private property in connection with a religious observance, ceremony, or rite or may consume or possess 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 and consume alcoholic beverages.

c. A person, while actually engaged in the performance of employment by a person or entity that is licensed under Title 33 of the Revised Statutes, 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 post secondary educational institution may possess an alcoholic beverage; however, this section shall not be construed to preclude the imposition of a penalty under N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

d. As used in this section, the following definitions will apply:

Guardian shall mean a person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment.

Relative shall mean the underaged person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

e. *Penalty.*

1. A violation of this section shall be punished by a fine of two hundred fifty (\$250.00) dollars for the first offense and three hundred fifty (\$350.00) dollars for any subsequent offense.

2. The court may, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privilege of a defendant. Upon the conviction of any person and the suspension or postponement of that person's driver's license by the court, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the date the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years.

If a person at the time of the imposition of a sentence, which includes a suspension or postponement of the person's driver's license, has a valid driver's license issued by this state, the court shall 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.

The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, 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.

If the person convicted under this section is not a New Jersey resident, the court may 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 court shall not collect the license of a nonresident convicted under this section. Upon receipt of a report of the type referenced above, by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.