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To: Municipal Court Client on Traffic Violations
From: Fong Joe Hou, Esq.
Re: Pending trial and how to order driver's history on-line.

Please order immediately online at <http://www.nj.gov/mvc/> your NJ driving history for your pending trial. It is six item down on the Home Page for online services at NJMVC.

MVC keeps all your driving records in a document known as a driver history abstract. For your convenience, you can now [request your abstract online](#). You need to first obtain a password from NJMVC by mail or you can purchase it at an [MVC Regional Service Center](#).

Please follow the steps online and you will receive your password in one week and you may follow up thereafter. You may also request your abstract by mail by following these steps:

1. Call our general information line at (888) 486-3339 in New Jersey or (609) 292-6500 from out-of-state. Select option 6 to request a Driver History Abstract form (DO-21)
2. Complete the Driver History Abstract form and mail it with a copy of your driver license and a \$10 check or money order to:

NJ Motor Vehicle Commission
Abstract Unit
225 East State Street
P.O. Box 142
Trenton, New Jersey 08666-0142

Your driver history abstract will be mailed to you within 5 business days of receipt of your completed form and payment.

In New Jersey, most motor vehicle offenses carry points which are assessed by the New Jersey Motor Vehicle Commission and/or a suspension of your driving privileges. These points could result in surcharges from the NJMVC and/or your insurance company. The State of New Jersey permits attorneys to engage in plea bargaining with the municipal court prosecutors in order to reduce points and/or limit driving license suspensions. Below is a list of the various types of moving violations in NJ which carry points if your found guilty.

Violation Points

39:4-66.2	Driving on private property to avoid traffic signal or stop sign	2
39:4-71	Improper driving on sidewalk	2
39:4-81	Failure to observe traffic signal	2
39:4-82	Failure to keep right	2

39:4-83	Failure to keep right at intersection	2
39:4-84	Failure to pass right of vehicle proceeding in opposite direction	5
39:4-85	Improper passing on right or off roadway or shoulder	4
39:4-85.1	Wrong way on one-way street	2
39:4-86	Improper passing, in "No Passing" zone	4
39:4-87	Failure to yield to overtake vehicle	2
39:4-88	Failure to observe traffic lanes	2
39:4-89	Tailgating	5
39:4-96	Reckless driving	5
39:4-97	Careless driving	2
39:4-98	Speeding up to 14 mph above limit	2
39:4-99	Speeding 15-29 mph above limit	4
	Speeding 30 mph or more above limit	5
39:4-105	Failure to stop at traffic light	2
39:4-115	Improper turn at traffic light	3
39:4-123	Improper right or left turn	3
39:4-124	Improper turn: from approved turning course	3
39:4-125	Improper u-turn	3
39:4-126	Failure to give proper signal	2
39:4-127	Improper backing or turn in street	2
39:4-128.1	Improper passing of school bus	5
39:4-128.4	Improper passing of frozen dessert truck	4
39:4-129	Leaving scene of accident - No injuries	2
39:4-144	Failure to observe stop or yield signs	2

If you have been to municipal court recently, you may have heard of a new statute that permits a person to plead guilty without having any points assessed against their driving record. This new statute is listed below.

Driving, operating a motor vehicle in an unsafe manner, offense created; fines.

1. a. Notwithstanding any other provision of law to the contrary, it shall be unlawful for any person to drive or operate a motor vehicle in an unsafe manner likely to endanger a person or property.

b. A person convicted of a first offense under subsection a. shall be subject to a fine of not less than \$50.00 or more than \$150.00 and shall not be assessed any motor vehicle penalty points pursuant to section 1 of P.L. 1982, c.43 (C.39:5-30.5).

c. A person convicted of a second offense under subsection a. shall be subject to a fine of not less than \$100.00 or more than \$250.00 and shall not be assessed any motor vehicle penalty points pursuant to section 1 of P.L. 1982, c.43 (C.39:5-30.5).

d. A person convicted of a third or subsequent offense under subsection a. shall be subject to a fine of not less than \$200.00 or more than \$500.00 and shall be assessed motor vehicle penalty points pursuant to section 1 of P.L. 1982, c.43 (C.39:5-30.5). **THIS MEANS FOR YOUR THIRD OFFENSE WITHIN FIVE YEARS OF THIS STATUTE, YOU WILL BE CHARGED 4 POINTS.**

e. An offense committed under this section that occurs more than five years after the prior offense shall not be considered a subsequent offense for the purpose of assessing motor vehicle penalty points under subsection d. of this section. L.2000, c.75, s.1.

We therefore need your driving record to ascertain if we may plea bargain for you at this pending trial.

Very truly yours,

Fong Joe Hou