

State of New Hampshire Laws

Trafficking Controlled Drugs	Substance	Amount	1st Offense	2nd Offense
<p>Any person who manufactures, sells, prescribes, administers, or transports, or possesses with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any preparation containing a controlled drug, except as authorized in this chapter; or manufactures, sells, or transports, or possesses with intent to sell, dispense, compound, package or repackage (1) any substance which he represents to be a controlled drug, or controlled drug analog, or (2) any preparation containing a substance which he represents to be a controlled drug, or controlled drug analog, shall be subjected to the following penalties. For a definition of Schedule I,II,III, IV, and V substances see RSA 318B:1-b.</p>	Cocaine	5 oz. or more	Not more than 30 years, fine of not more than \$500,000, or both.	Not more than life, fine of not more than \$500,000, or both.
	LSD	100 mg or more		
	PCP	10 gm or more		
	Heroin	5 gm or more		
	Cocaine, LSD, PCP, Heroin	1/2 oz. or more, but less than 5 oz.	Not more than 20 years, fine of not more than \$300,000, or both.	Not more than 40 years, fine of not more than \$500,00, or both.
	LSD	less than 100 mg		
	PCP	less than 10 gm		
	Heroin	more than 1 gm less than 5 gm		
	Methamphetamine	1 oz. or more		
	Marijuana	5 lb. or more		
	Flunitrazepam (Rohypnol)	500 mg or more		
	Hashish	1 lb. or more	Not more than 7 years, fine of not more than \$100,000, or both.	Not more than 15 years, fine of not more than \$200,000, or both.
	Cocaine, LSD, PCP, Heroin	less than 1/2 oz.		
	Methamphetamine	less than 1 oz.		
	Heroin	less than 1 gm		
	Marijuana	1 oz. or more but less than 5 lb.		
	Flunitrazepam (Rohypnol)	Less than 500 mg		
Any Other Schedule I, II, III or IV controlled drug	No specific amount	Not more than 3 years, fine of not more than \$25,000, or both.	Not more than 6 years, fine of not more than \$50,000, or both.	
Marijuana	less than 1 oz.			
Hashish	less than 5 gm			
Any Schedule V Substance	No specific amount			
Representation of any substance to be a controlled drug or controlled drug analog.	N/A	ANY	Misdemeanor	Class B felony.
Possessing Controlled Drugs	Substance	Amount	1st Offense	2nd Offense
<p>Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter, shall be subjected to the following penalties.</p>	Schedule I, II, III or IV Substance	No specified amount	Class B felony, fine of not more than \$25,000.	Class A felony, fine of not more than \$50,000
	Schedule V substance	No specified amount	Not more than 3 years, fine of not more than \$15,000, or both.	Class B felony, fine of not more than \$25,000.
	Hashish	5 gm or more	Misdemeanor, fine of not more than \$5,000 may be imposed.	
	Marijuana, Hashish	less than 5 gm	Class A Misdemeanor.	

State of New Hampshire Laws

Possessing Controlled Drugs (cont.)	Substance	Amount	1st Offense
Any person who controls any premises or vehicle where he knows a controlled drug is illegally kept ; advertises, aids, assists a person in the perpetration of a crime knowing that person is illegally in possession of a controlled drug or its analog; manufactures with the intent to deliver, delivers or possesses with the intent to deliver any drug paraphernalia	Any controlled drug or its analog or drug paraphernalia	Any	Misdemeanor
Any person who violates this chapter by manufacturing, selling, prescribing, administering, dispensing, or possessing with intent to sell, dispense, or compound any controlled drug or its analog, in or on or within 1,000 feet of the real property comprising a public or private elementary, secondary, or secondary vocational-technical school,	Any controlled drug or its analog	Any	Imprisonment or fine, or both, up to twice that otherwise authorized by this section. Except to the extent a greater minimum sentence is otherwise provided by this chapter, a sentence imposed under this paragraph shall include a mandatory minimum term of imprisonment of not less than one year. Neither the whole nor any part of the mandatory minimum sentence imposed under this paragraph shall be suspended or reduced.
Any person who manufactures, sells, or dispenses methamphetamine, lysergic acid, diethylamide phencyclidine (PCP) or any other controlled drug classified in schedules I or II, or any controlled drug analog thereof, in violation of RSA 318-B:2, 1 or 1-a, is strictly liable for a death which results from the injection, inhalation or ingestion of that substance	Methamphetamine, LSD, PCP or any other controlled drug classified in schedules I and II or any other controlled drug analog in violation of RSA 318-B:2, 1 or 1-a	Any	Imprisonment up to life
Steroids	Substance	Amount	1st Offense
Any person who prescribes, sells, provides or distributes anabolic steroids to another person for purposes other than treatment of a medical problem or injury	Any Steroids	Any	Class B felony, fine and possible imprisonment of not more than 7 years.
Any person who uses or possesses with intent to use anabolic steroids for purposes other than treatment of a medical problem or injury.	Any Steroids	Any	Misdemeanor, fine and possible imprisonment of not more than 1 year

State of New Hampshire Laws

Alcohol - Under Age of 21	1st Offense	2nd Offense
a. Sells to a minor (person under 21), engages in other prohibited sales, advertises, employs a youth (person under 15), transports liquor.	Any natural person - Misdemeanor. Any other person - Felony - loss or Revocation of license.	
b. Minor who has in his/her possession an alcoholic beverage (open or unopened).	Violation - Minimum fine of \$300	Violation - Minimum fine of \$600
c. Misrepresentation of age for purpose of obtaining alcoholic beverages.	Misdemeanor - Minimum fine of \$500	Misdemeanor - Minimum fine of \$1,000
d. Furnish false or altered evidence of age.	Misdemeanor - Minimum fine of \$500	Misdemeanor - Minimum fine of \$1,000
e. Have in possession false or altered identification of any type that misrepresents age for purpose of obtaining alcoholic beverages.	Misdemeanor - Minimum fine of \$500	Misdemeanor - Minimum fine of \$1,000
f. Be in an area where alcoholic beverages are being served under permit unless accompanied by a person 21 years of age (except an establishment with a club license).	Misdemeanor - Minimum fine of \$500	Misdemeanor - Minimum fine of \$1,000
Alcohol - Applies to Anyone - Regardless of Age	1st Offense	2nd Offense
a. To sell, give away, cause, permit, or procure to be sold, delivered, or given away alcoholic beverage to a minor or an individual who is intoxicated	Any natural person - Misdemeanor. Any other person/Corporation - Class B Felony	
b. To charge for alcoholic beverage without a license.	Any natural person - Misdemeanor. Any other person/Corporation - Class B Felony	
c. For any person to consume or possess in an open container any alcoholic beverages while in or upon public place ("public place" is an area where general public can gain access).	Violation	
d. For any person who manufacture, sell, advertise for sale, solicit orders for, deliver or cause to be delivered, or produce in any manner any photographic identification card that purports to be an official document issued by a local, state, or federal government, or any political subdivision thereof, which contains false or inaccurate information regarding the name, address, date of birth, or height and weight characteristics of the cardholder.	Misdemeanor (1st and 2nd Offense)	Class B Felony - for Third Offense
e. To lend a driver's license or permit to another person to use for unlawful purpose.	Misdemeanor	
f. To photograph or duplicate or possess such a reproduction of a driver's license or non-driver's identification card that it be mistaken for valid identification.	Misdemeanor	
g. Possession of a keg containing malt beverage, which is not identified as prescribed by New Hampshire State Law.	Violation	
h. To sign a receipt in order to obtain a keg, knowing any information required on the receipt to be false.	Misdemeanor	

State of New Hampshire Laws

Motor Vehicles

1st Offense

2nd Offense

a. Driving under the influence of intoxicating liquor or any controlled drug or any combination of intoxicating liquor and controlled drug, or driving with blood alcohol level of 0.08 or more (.02 for drivers under the age of 21)

Class B Misdemeanor - not less than \$500, revocation of license for not less than 9 months and up to 2 years. 6 months can be suspended if attend impaired driver intervention program or other 7-day residential intervention program.

Class A Misdemeanor - 2nd offense within 2 years: fine not less than \$750; 37 consecutive days mandatory sentence, 7 of which is in a residential multiple DWI offender intervention center, at own cost; revocation of driver's license or driving privileges for not less than 3 years. 2nd offense within 2-10 years: 10 consecutive days mandatory sentence, 7 of which is in a residential multiple DWI offender intervention center, at own cost, 3 year loss of license.

b. Alcohol-related traffic accident, serious bodily injury resulting.

Class B Misdemeanor - not less than \$1,000, 21 consecutive days mandatory sentence, 7 of which is in a residential multiple DWI offender intervention center, at own cost, revocation of license for not less than 18 months and up to 2 years. 6 months can be suspended if attend impaired driver intervention program or other 7-day residential intervention program.

c. Alcohol-related traffic accident, death resulting.

Class A Felony - sentence in excess of 7 years in prison, revoke of license or driving privilege of the convicted person indefinitely.

d. Aggravated Driving While Intoxicated - If while under the influence of intoxicating substances or with blood alcohol level of .10 or more: exceeds prima facie speed limit by 30 mph; or is involved in motor vehicle accident resulting in serious bodily injury; or attempts to elude law enforcement; or, if with blood alcohol level of .16 or more, carries a passenger under the age of 16.

Class A Misdemeanor - fine not less than \$750; 10 consecutive days mandatory sentence, 7 of which is in a residential multiple DWI offender intervention center, at own cost; revocation of driver's license or driving privileges for not less than 18 months to up to 2 years.

e. Transporting of Alcoholic Beverages - No driver or passenger shall carry unsealed liquor or "beverage" in passenger area of car. Open containers, if transported, must be in trunk or if not trunk, then in least accessible area of vehicle. Includes roads and public parking areas.

Violation
license or driving privilege, if non-resident suspended for 60 days.

f. Transporting of Alcoholic Beverages by Minors - No driver under 21 shall transport liquor or beverage expect when accompanied by a parent, legal guardian or legal age spouse. Exception: if employed under RSA 179:23, may transport if at least 18 years old.

Violation
Fine of \$150, license or driving privilege, if non-resident suspended for 60 days.

Violation
Fine of \$150, license or driving privilege, if non-resident suspended for up to one year.

In New Hampshire, a violation is punishable by a fine. A misdemeanor is punishable by up to one year in jail. A class B Felony is punishable by 1 to 7 years in jail; a Class A Felony is punishable by in excess of 7 years in jail. The Court may impose fines for misdemeanors and felonies.

Chapter 149 – Professional Use of Marijuana: RSA 318-B:10-VI is amended to allow attending physicians in the course of their professional practice to administer FDA-approved and classified Cannabis-type drugs, or cause them to be administered by a nurse or intern under the physician's direction and supervision.