

39:4-139.10

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2007 **CHAPTER:** 280
NJSA: 39:4-139.10 (Authorizes suspension of motor vehicle registration)
BILL NO: S2326 (Substituted for A3523)

SPONSOR(S): Turner and others

DATE INTRODUCED: November 13, 2006

COMMITTEE: **ASSEMBLY:**
SENATE: Transportation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 7, 2008
SENATE: December 11, 2006

DATE OF APPROVAL: January 13, 2008

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (First reprint enacted)

S2326

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3523

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

IS 6/6/08

P.L. 2007, CHAPTER 280, *approved January 13, 2008*
Senate, No. 2326 (*First Reprint*)

1 AN ACT concerning motor vehicle registration and amending
2 P.L.1985, c.14.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 9 of P.L.1985, c.14 (C.39:4-139.10) is amended to
8 read as follows:

9 9. a. If a person has failed to respond to a failure to appear
10 notice or has failed to pay a parking judgment, the municipal court
11 may give notice of that fact to the **[division]** commission in a
12 manner prescribed by the **[director]** chief administrator. If notice
13 has been given under this section of a person's failure to respond to
14 a failure to appear notice or to pay a parking judgment and if the
15 fines and penalties are paid or if the case is dismissed or otherwise
16 disposed of, the municipal court shall promptly give notice to that
17 effect to the **[division]** commission.

18 b. The judge or the **[division]** commission may suspend the
19 driver's license, or the registration of the motor vehicle of an owner,
20 lessee, or operator who has not answered or appeared in response to
21 a failure to appear notice or has not paid or otherwise satisfied
22 outstanding parking fines or penalties. If an owner, lessee or
23 operator has been found guilty of a parking offense, the court shall
24 provide notice and an opportunity to appear before a judge prior to
25 suspending that person's driver's license or motor vehicle
26 registration. ¹In determining whether to suspend the person's
27 driver's license or the motor vehicle registration, the judge and the
28 commission shall take into consideration the area where the person
29 resides and whether or not the person has access to off-street
30 parking.¹ If the owner, lessee or operator is found by the court to
31 be indigent or is participating in a government-based income
32 maintenance program, that person shall be permitted to pay the
33 parking fine and other penalties in installments in accordance with
34 section 1 of P.L.1981, c.365 (C.39:4-203.1).

35 c. The **[division]** commission shall keep a record of a
36 suspension ordered by the court pursuant to subsection b. of this
37 section.

38 (cf: P.L.1999, c.397, s.1)

39
40 2. Section 10 of P.L.1985, c.14 (C.39:4-139.11) is amended to
41 read as follows:

42 10. a. When a person whose license or motor vehicle registration
43 has been suspended pursuant to subsection b. of section 9 of **[this**

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted November 27, 2006.

1 act] P.L.1985, c.14 ¹[(C.39:4-139.2 et seq.)] (C.39:4-139.10)¹
2 satisfies the fines and any penalties imposed by the court, the court
3 shall forward to the [division] commission a notice to restore the
4 person's driver's license or ¹motor vehicle¹ registration.

5 b. Upon receiving a notice to restore pursuant to subsection a.
6 of this section, the [division] commission shall record the
7 restoration and notify the person of the restoration.
8 (cf: P.L.1985, c.14, s.10)

9
10 3. This act shall take effect ¹[immediately] on the first day of
11 the sixth month after enactment¹.

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14

15

16 _____
Authorizes suspension of motor vehicle registration.

SENATE, No. 2326

STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED NOVEMBER 13, 2006

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Senator RONALD L. RICE

District 28 (Essex)

SYNOPSIS

Authorizes suspension of motor vehicle registration.

CURRENT VERSION OF TEXT

As introduced.



S2326 TURNER, RICE

2

1 AN ACT concerning motor vehicle registration and amending
2 P.L.1985, c.14.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 9 of P.L.1985, c.14 (C.39:4-139.10) is amended to
8 read as follows:

9 9. a. If a person has failed to respond to a failure to appear
10 notice or has failed to pay a parking judgment, the municipal court
11 may give notice of that fact to the **[division]** commission in a
12 manner prescribed by the **[director]** chief administrator. If notice
13 has been given under this section of a person's failure to respond to
14 a failure to appear notice or to pay a parking judgment and if the
15 fines and penalties are paid or if the case is dismissed or otherwise
16 disposed of, the municipal court shall promptly give notice to that
17 effect to the **[division]** commission.

18 b. The judge or the **[division]** commission may suspend the
19 driver's license, or the registration of the motor vehicle of an owner,
20 lessee, or operator who has not answered or appeared in response to
21 a failure to appear notice or has not paid or otherwise satisfied
22 outstanding parking fines or penalties. If an owner, lessee or
23 operator has been found guilty of a parking offense, the court shall
24 provide notice and an opportunity to appear before a judge prior to
25 suspending that person's driver's license or motor vehicle
26 registration. If the owner, lessee or operator is found by the court to
27 be indigent or is participating in a government-based income
28 maintenance program, that person shall be permitted to pay the
29 parking fine and other penalties in installments in accordance with
30 section 1 of P.L.1981, c.365 (C.39:4-203.1).

31 c. The **[division]** commission shall keep a record of a
32 suspension ordered by the court pursuant to subsection b. of this
33 section.

34 (cf: P.L.1999, c.397, s.1)

35

36 2. Section 10 of P.L.1985, c.14 (C.39:4-139.11) is amended to
37 read as follows:

38 10. a. When a person whose license or motor vehicle
39 registration has been suspended pursuant to subsection b. of section
40 9 of **[this act]** P.L.1985, c.14 (C.39:4-139.2 et seq.) satisfies the
41 fines and any penalties imposed by the court, the court shall
42 forward to the **[division]** commission a notice to restore the
43 person's driver's license or registration.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 b. Upon receiving a notice to restore pursuant to subsection a. of
2 this section, the [division] commission shall record the restoration
3 and notify the person of the restoration.
4 (cf: P.L. 1985, c. 14, s. 10)

5

6 3. This act shall take effect immediately.

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STATEMENT

10

11 This bill would provide a judge and the Motor Vehicle
12 Commission with greater flexibility when dealing with a person
13 who has failed to respond to a failure to appear notice or who has
14 not satisfied outstanding parking fines or penalties. Under current
15 law, a judge or the commission may suspend the person's driver's
16 license. Under the provisions of this bill, a judge or the commission
17 would be permitted to suspend either the person's motor vehicle
18 registration or their driver's license. It is the sponsor's hope that a
19 judge will weigh the burden caused to a violator or his family by a
20 license suspension and the burden caused by a suspension of
21 registration and impose the least burdensome suspension.

22 This bill was prompted by a recommendation from the Motor
23 Vehicles Affordability and Fairness Task Force.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2326

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 27, 2006

The Senate Transportation Committee reports favorably Senate Bill No. 2326 with committee amendments.

This amended bill would provide a judge and the Motor Vehicle Commission with greater flexibility when dealing with a person who has failed to respond to a failure to appear notice or who has not satisfied outstanding parking fines or penalties. Under current law, a judge or the commission may suspend the person's driver's license. Under the provisions of this bill, a judge or the commission would be permitted to suspend either the person's motor vehicle registration or driver's license. In determining whether to suspend the person's driver's license or the motor vehicle registration, the judge and the commission shall take into consideration the area where the person resides and whether or not the person has access to off-street parking.

This bill was prompted by a recommendation from the Motor Vehicles Affordability and Fairness Task Force.

The committee amended the bill by requiring the judge and the commission to take into consideration the area the person resides in and whether or not the person has access to off-street parking in deciding between suspension of the driver's license or the motor vehicle registration. The committee also made a technical amendment.

ASSEMBLY, No. 3523

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED OCTOBER 19, 2006

Sponsored by:

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman FRANCIS L. BODINE

District 8 (Burlington)

SYNOPSIS

Authorizes suspension of motor vehicle registration.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/8/2006)

A3523 QUIGLEY, WISNIEWSKI

2

1 AN ACT concerning motor vehicle registration and amending
2 P.L.1985, c.14.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 9 of P.L.1985, c.14 (C.39:4-139.10) is amended to
8 read as follows:

9 9. a. If a person has failed to respond to a failure to appear
10 notice or has failed to pay a parking judgment, the municipal court
11 may give notice of that fact to the **[division]** commission in a
12 manner prescribed by the **[director]** chief administrator. If notice
13 has been given under this section of a person's failure to respond to
14 a failure to appear notice or to pay a parking judgment and if the
15 fines and penalties are paid or if the case is dismissed or otherwise
16 disposed of, the municipal court shall promptly give notice to that
17 effect to the **[division]** commission.

18 b. The judge or the **[division]** commission may suspend the
19 driver's license, or the registration of the motor vehicle of an owner,
20 lessee, or operator who has not answered or appeared in response to
21 a failure to appear notice or has not paid or otherwise satisfied
22 outstanding parking fines or penalties. If an owner, lessee or
23 operator has been found guilty of a parking offense, the court shall
24 provide notice and an opportunity to appear before a judge prior to
25 suspending that person's driver's license or motor vehicle
26 registration. If the owner, lessee or operator is found by the court to
27 be indigent or is participating in a government-based income
28 maintenance program, that person shall be permitted to pay the
29 parking fine and other penalties in installments in accordance with
30 section 1 of P.L.1981, c.365 (C.39:4-203.1).

31 c. The **[division]** commission shall keep a record of a
32 suspension ordered by the court pursuant to subsection b. of this
33 section.

34 (cf: P.L.1999, c.397, s.1)

35

36 2. Section 10 of P.L.1985, c.14 (C.39:4-139.11) is amended to
37 read as follows:

38 10. a. When a person whose license or motor vehicle registration
39 has been suspended pursuant to subsection b. of section 9 of **[this**
40 **act]** P.L.1985, c.14 (C.39:4-139.2 et seq.) satisfies the fines and any
41 penalties imposed by the court, the court shall forward to the
42 **[division]** commission a notice to restore the person's driver's
43 license or registration.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 b. Upon receiving a notice to restore pursuant to subsection a.
2 of this section, the **[division]** commission shall record the
3 restoration and notify the person of the restoration.
4 (cf: P.L. 1985, c. 14, s. 10)

5

6 3. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill would provide a judge and the Motor Vehicle
12 Commission with greater flexibility when dealing with a person
13 who has failed to respond to a failure to appear notice or who has
14 not satisfied outstanding parking fines or penalties. Under current
15 law, a judge or the commission may suspend the person's driver's
16 license. Under the provisions of this bill, a judge or the commission
17 would be permitted to suspend either the person's motor vehicle
18 registration or their driver's license. It is the sponsor's hope that a
19 judge will weigh the burden caused to a violator or his family by a
20 license suspension and the burden caused by a suspension of
21 registration and impose the least burdensome suspension.

22 This bill was prompted by a recommendation from the Motor
23 Vehicles Affordability and Fairness Task Force.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3523

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2006

The Assembly Transportation and Public Works Committee reports favorably and with amendments Assembly Bill No. 3523.

As reported, this amended bill would provide the court and the New Jersey Motor Vehicle Commission with greater flexibility when dealing with a person who has failed to respond to a failure to appear notice or who has not satisfied outstanding parking fines or penalties. Under current law, the court or the commission may suspend the individual's driver's license. Under the provisions of this bill, the court or the commission, cognizant of the area in which the person resides and whether that person has access to off-street parking, would be permitted to suspend either the person's motor vehicle registration or driver's license.

This bill was prompted by a recommendation from the Motor Vehicles Affordability and Fairness Task Force.

COMMITTEE AMENDMENTS

The committee made technical amendments to the bill to correct a citation in section 2 and to use the term "motor vehicle registration" consistently throughout the bill. The committee amended the bill to provide that the court and the commission shall take into consideration the area in which the person resides in making the decision to suspend either the person's driver's license or motor vehicle registration. The committee also amended the bill to provide that the bill will take effect on the first day of the sixth month after enactment. As released by the committee, this amended bill is identical to S-2332.