

# SENATE, No. 258

(P. L. 1921, page 643, at page 658.)

## STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1923.

By Mr. SMITH.

Referred to Committee on Highways.

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for said violations," approved April eighth, nineteen hundred and twenty-one.

1 WHEREAS, Certain applicants for omnibus registration have questioned the inter-  
2 pretation of the words "seating capacity" as used in the act of which this act  
3 is amendatory; and, whereas, the said words were used in said act as synony-  
4 mous with and intended to mean the same as "carrying capacity;" and, whereas,  
5 in order to remove all doubt as to the intent and meaning of the Legislature  
6 by the use of the words "seating capacity" the word "carrying" is substituted  
7 for the word "seating" as follows:

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1 I. Subdivision three of section eleven of the act of which this is an amend-  
2 ment, be and the same hereby is amended to read as follows:

3 II. (3) For each vehicle used as an omnibus for the transportation of passen-  
4 gers for hire, the applicant shall pay an annual fee of fifteen dollars for vehicles

5 having a [seating] carrying capacity of five passengers or less; for each such  
6 vehicle having a [seating] carrying capacity for passengers of not less than six  
7 nor more than eight passengers, the annual fee shall be seventeen dollars and  
8 fifty cents; for each such vehicle having a [seating] carrying capacity for passen-  
9 gers of not less than nine nor more than twelve passengers, the annual fee shall be  
10 twenty dollars; for each vehicle having a [seating] carrying capacity for passen-  
11 gers of not less than thirteen or more than seventeen passengers, the annual fee  
12 shall be twenty-five dollars; for each such vehicle having a [seating] carrying  
13 capacity for passengers of not less than eighteen nor more than twenty-two pas-  
14 sengers, the annual fee shall be thirty dollars; for each such vehicle having a  
15 [seating] carrying capacity for passengers of not less than twenty-three nor more  
16 than twenty-six passengers, the fee shall be thirty-five dollars; for each such vehicle  
17 having a [seating] carrying capacity for passengers of not less than twenty-seven  
18 nor more than thirty passengers, the fee shall be forty dollars; for each such vehicle  
19 having a [seating] carrying capacity for passengers in excess of thirty passengers,  
20 the applicant shall pay an annual fee of forty dollars, and an additional fee of two  
21 dollars for each passenger (measured by [seating] carrying capacity) in excess of  
22 thirty passengers.

23 The Commissioner of Motor Vehicles shall provide identification marks of the  
24 general style and kind provided for motor vehicle registrations, assigning a number  
25 to each identification mark, and before each number the letter "O" shall be placed.

26 Every such applicant for an omnibus registration shall make application, set-  
27 ting forth the fact that he is in business of transporting passengers for hire, and  
28 the Commissioner of Motor Vehicles, if satisfied of the correctness of the state-  
29 ments made in such application, may issue a registration certificate for omnibus  
30 license.

31 Nothing in this section shall prohibit the use by an omnibus operator of any  
32 automobile duly licensed by him as owner.

1 2. This act shall take effect immediately.

## STATEMENT.

The purpose of this act is to change the word "seating" to "carrying" in order to clarify the legislative intent in the original enactment.