

33:1-28a

LEGISLATIVE HISTORY CHECKLIST

NJSA: 33:1-28a

(Alcoholic beverages--interstate transportation--procedures for temporary or emergency permits)

LAWS OF: 1988

CHAPTER: 67

Bill No: S1983

Sponsor(s): Costa

Date Introduced: January 28, 1988

Committee: Assembly: Law, Public Safety & Defense

Senate: Law, Public Safety & Defense

Amended during passage: Yes

Date of Passage: Assembly: June 2, 1988

Senate: February 22, 1988

Date of Approval: July 19, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

P.L. 1988, CHAPTER 67, *approved July 19, 1988*
1988 Senate No. 1983

AN ACT concerning temporary or emergency transportation of alcoholic beverages and supplementing Title 33 of the Revised Statutes.

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

1. The Director of the Division of Alcoholic Beverage Control or, pursuant to rules and regulations, any designated agent of the director, may issue a special permit for the temporary or emergency transportation of alcoholic beverages into or out of the State in any vehicle which is not otherwise so authorized in accordance with R.S. 33:1-28. The fee for these permits shall be \$25.00 and, where a designated agent issues the permit, the agent may receive an additional surcharge in an amount to be fixed by the director.

2. This act shall take effect on the first day of the fourth month after enactment.

STATEMENT

This bill permits the Director of the Division of Alcoholic Beverage Control to appoint a designated agent to issue special permits for the temporary or emergency transportation of alcoholic beverages in any vehicle which is not otherwise so authorized. This proposed legislation would increase public convenience by permitting designated agents, such as truck stops, to issue permits to nonlicensees, who are basically independent nonlicensed truck operators hired for the limited purpose of transporting a licensee's alcoholic beverages into or out of New Jersey.

Current law requires nonlicensees to obtain permits only from the director's offices. These offices are often inconveniently located which can result in trucks being diverted up to hundreds of miles from their routes to obtain the permits. Additionally, increased compliance should result in an increase in State revenues.

PUBLIC SAFETY
Alcoholic Beverages

Allows Director of the Division of Alcoholic Beverage Control to authorize designated agents, such as truck stops, to issue special permits for temporary or emergency interstate transportation of alcoholic beverages.

SENATE, No. 1983
STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1988

By Senator COSTA

1 AN ACT concerning temporary or emergency transportation of
2 alcoholic beverages and supplementing Title 33 of the Revised
3 Statutes.

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

7 1. The Director of the Division of Alcoholic Beverage Control
8 or, pursuant to rules and regulations, any designated agent of the
9 director, may issue a special permit for the temporary or
10 emergency transportation of alcoholic beverages into or out of
11 the State in any vehicle which is not otherwise so authorized in
12 accordance with R.S. 33:1-28. The fee for these permits shall be
13 \$25.00 and, where a designated agent issues the permit, the agent
14 may receive an additional surcharge in an amount to be fixed by
15 the director.

16 2. This act shall take effect on the first day of the fourth
17 month after enactment.

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STATEMENT

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22 This bill permits the Director of the Division of Alcoholic
23 Beverage Control to appoint a designated agent to issue special
24 permits for the temporary or emergency transportation of
25 alcoholic beverages in any vehicle which is not otherwise so
26 authorized. This proposed legislation would increase public
27 convenience by permitting designated agents, such as truck stops,
28 to issue permits to nonlicensees, who are basically independent
29 nonlicensed truck operators hired for the limited purpose of
30 transporting a licensee's alcoholic beverages into or out of New
31 Jersey.

32 Current law requires nonlicensees to obtain permits only from
33 the director's offices. These offices are often inconveniently
34 located which can result in trucks being diverted up to hundreds
35 of miles from their routes to obtain the permits. Additionally,
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PUBLIC SAFETY
Alcoholic Beverages

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Allows Director of the Division of Alcoholic Beverage Control to authorize designated agents, such as truck stops, to issue special permits for temporary or emergency interstate transportation of alcoholic beverages.

ASSEMBLY LAW, PUBLIC SAFETY AND CORRECTIONS
COMMITTEE

STATEMENT TO

SENATE, No. 1983

STATE OF NEW JERSEY

DATED: MAY 16, 1988

The Assembly Law, Public Safety and Corrections Committee favorably reports Senate Bill No. 1983.

Senate Bill No. 1983 supplements Title 33 of the Revised Statutes to permit the Director of the Division of Alcoholic Beverages, or his designated agent, to issue a special permit for the temporary or emergency transportation of alcoholic beverages into or out of the State in any vehicle which has not been so authorized under the provisions of R.S. 33:1-28. The fees for these temporary or emergency permits is to be \$25.00 and, in the case of a permit being issued by a designated agent, an additional surcharge set by the director for that agent.

According to the sponsor:

This proposed legislation would increase public convenience by permitting designated agents, such as truck stops, to issue permits to nonlicensees, who are basically independent nonlicensed truck operators hired for the limited purpose of transporting a licensee's alcoholic beverages into or out of New Jersey.

Current law requires nonlicensees to obtain permits only from the director's offices. These offices are often inconveniently located which can result in trucks being diverted up to hundreds of miles from their routes to obtain the permits. Additionally, increased compliance should result in an increase in State revenues.

It is the Committee's understanding that the transportation of alcoholic beverages is currently covered by three sections of law. Under R.S. 33:1-13, an individual may secure a Class D license which entitles the holder to transport alcoholic beverages into, out of, and through and within the State. The fee for this license is \$500.00. Under the provisions of R.S. 33:1-28, any licensee, except public warehouse licensees, may transport alcoholic beverages in their own vehicles, solely for their own respective businesses, and in accordance with their own license,

as long as the vehicles used are appropriately marked with a transit insignia provided by the director. The fee for the insignia is \$25.00. Finally, under the provisions of P.L. 1982, c. 176 (C. 33:1-28.1 et seq.), retail consumers who purchase wine in person from a plenary winery having retail privileges, or from a farm winery, may ship the wine purchased to a destination within the State by parcel delivery. Any winery wishing to use parcel delivery must apply for the privilege and pay an annual fee of \$25.00 to the director.

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 1983

STATE OF NEW JERSEY

DATED: FEBRUARY 18, 1988

The Senate Law, Public Safety and Defense Committee reports favorably Senate Bill No. 1983.

Senate Bill 1983 permits the Director of the Division of Alcoholic Beverage Control to appoint a designated agent to issue special permits for the temporary or emergency transportation of alcoholic beverages in a vehicle which is not otherwise authorized to transport alcoholic beverages. Current law requires such permits to be issued only through the director's offices. These offices are often inconveniently located which can result in trucks being diverted up to hundreds of miles from their routes to obtain the permits.

According to the division, the purpose of this bill is to increase public convenience by permitting designated agents, such as truck stop operators, to issue temporary or emergency permits to certain persons. Basically these persons are independent truck operators hired for the limited purpose of transporting alcoholic beverages into and out of the State. Additionally, the enactment of the bill into law would result in increased compliance with current statutes requiring such permits because the permits could be more conveniently obtained. Increased compliance should also result in an increase in State revenues through the fees collected.