

R.S. 39:3-15 et seq.

LEGISLATIVE FACT SHEET

ON

N.J.R.S. 39:3-15 et seq. (Trucks, Tractors - Fees)  
(1966 Amendment)

LAWS OF 1966

CHAPTER 209

~~SENATE~~

ASSEMBLY 897

INTRODUCED June 13, 1966

BY Halpin

STATEMENT

YES

NO

AMENDED DURING PASSAGE

YES

NO

HEARING

VETO

ASSEMBLY, No. 897

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1966

By Assemblyman HALPIN

(Without Reference)

AN ACT concerning motor vehicles, amending sections 39:3-15 and 39:3-20 of the Revised Statutes and amending "An act relating to motor vehicles and traffic regulation, and amending sections 39:3-20 and 39:3-84, and repealing sections 39:3-83, 39:3-85 and 39:4-73, and supplementing Title 39 of the Revised Statutes," approved May 25, 1950 (P. L. 1950, c. 142).

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

1 1. Section 39:3-15 of the Revised Statutes is amended to read as follows:

2 39:3-15. Any passenger type motor **[car]** *vehicle*, omnibus, motor vehi-  
3 cle used for the transportation of goods, wares **[and]** *or* merchandise, motor  
4 cycle, or motor-drawn vehicle belonging to a nonresident, and which has  
5 been registered in accordance with the laws respecting the registration of  
6 motor vehicles of the State, territory, Federal district of the United States  
7 or province of the Dominion of Canada, or foreign country, in which the  
8 nonresident resides, and which has conspicuously displayed thereon the regis-  
9 tration number thereof, may, without complying with the provisions of this  
10 subtitle with respect to registration and equipment, be operated in this  
11 State either during such portion of the entire year as the free operation of a  
12 similar type of vehicle belonging to a resident of this State and registered  
13 in compliance with the laws of this State, and whose registration number is  
14 conspicuously displayed thereon, is permitted in the State, Territory, Federal

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

15 district or province of the Dominion of Canada, or foreign country, of the  
 16 nonresident, or during such portion of the entire year as the director shall de-  
 17 termine to be the normal period of seasonal employment in agricultural pur-  
 18 suits, provided a special permit is obtained from the director for such opera-  
 19 tion which may be issued to any applicant therefor who satisfies the director  
 20 that he is engaged in such employment, and upon the payment of a fee of  
 21 \$1.00.

22 *The privilege of free operation in this State of motor vehicles or motor-*  
 23 *drawn vehicles belonging to nonresidents extended by this act shall not per-*  
 24 *mit the intrastate free operation of any truck, road tractor, truck tractor or*  
 25 *trailer and semitrailer of the commercial type, except that a trailer or semi-*  
 26 *trailer duly registered in another State or Federal district which does not*  
 27 *impose registration weight fees on trailers or semitrailers is extended the*  
 28 *privilege of free intrastate operation when being drawn by a truck, road*  
 29 *tractor, or truck tractor registered in accordance with the provisions of Re-*  
 30 *vised Statutes 39:3-20 and provided that the gross weight of the combination*  
 31 *of vehicles, including load, does not exceed the maximum weight allowed by*  
 32 *the registration certificate of the drawing vehicle registered in this State.*  
 33 *The owner or driver of any vehicle used in intrastate operations not per-*  
 34 *mitted by this section shall be deemed to be in violation of section Revised*  
 35 *Statutes 39:3-4 and subject to the penalties prescribed in said section.*

1 2. Section 39:3-20 of the Revised Statutes is amended to read as follows:

2 39:3-20. An applicant for registration for [automobile commercial  
 3 vehicles, trailers, semitrailers, and tractors] *trucks, road tractors and truck*  
 4 *tractors shall pay to the director a fee based on the gross weight of the vehicle*  
 5 *and load including the gross weight of all vehicles and load of any combina-*  
 6 *tion of vehicles of which the truck, road tractor or truck tractor is the draw-*  
 7 *ing vehicle in such combination of vehicles. The plates to be used for com-*  
 8 *mercial motor vehicles shall display the word "commercial," and the*  
 9 *numerals shall be prefixed by the letter "X." Trailer plates shall have the*  
 10 *letter "T." The fee for trucks, road tractors and truck tractors shall be*  
 11 *paid in accordance with the following table:*

12 When the gross weight of vehicle and load, *including the gross weight of*  
 13 *all vehicles and load of any combination of vehicles of which the truck, road*  
 14 *tractor or truck tractor is the drawing vehicle in such combination of vehicles,*  
 15 *is:*

16	1,000 pounds or less .....	\$10 00
17	1,001 to 2,000 pounds .....	15 00
18	2,001 to 3,000 pounds .....	20 00
19	3,001 to 4,000 pounds .....	25 00
20	4,001 to 5,000 pounds .....	30 00
21	5,001 to 6,000 pounds .....	35 00
22	6,001 to 8,000 pounds .....	40 00
23	8,001 to 10,000 pounds .....	50 00
24	10,001 to 13,000 pounds .....	60 00
25	13,001 to 16,000 pounds .....	75 00
26	16,001 to 19,000 pounds .....	90 00
27	19,001 to 22,000 pounds .....	110 00
28	22,001 to 25,000 pounds .....	130 00
29	25,001 to 28,000 pounds .....	150 00
30	28,001 to 32,000 pounds .....	180 00
31	32,001 to 36,000 pounds .....	210 00
32	36,001 to 40,000 pounds .....	240 00
33	40,001 to 44,000 pounds .....	270 00
34	<i>44,001 to 48,000 pounds .....</i>	<i>295 00</i>
35	<i>48,001 to 52,000 pounds .....</i>	<i>325 00</i>
36	<i>52,001 to 56,000 pounds .....</i>	<i>350 00</i>
37	<i>56,001 to 60,000 pounds .....</i>	<i>380 00</i>
38	<i>60,001 to 64,000 pounds .....</i>	<i>410 00</i>
39	<i>64,001 to 68,000 pounds .....</i>	<i>435 00</i>
40	<i>68,001 to 72,000 pounds .....</i>	<i>460 00</i>

41 *An applicant for registration for trailers and semitrailers shall pay to*  
 42 *the director a fee of \$15.00 for each such vehicle.*

43 In addition to the registrations authorized to be issued pursuant to the  
44 aforesaid provisions of this section, the director shall issue registrations for  
45 automobile commercial vehicles, trailers, semitrailers, and tractors providing  
46 for the gross weight of vehicle and load over 40,000 pounds but not exceeding  
47 70,000 pounds, upon application therefor and proof to the satisfaction of the  
48 director that the applicant is actually engaged in construction work or in  
49 the business of supplying material, transporting material, or using such  
50 registered vehicle for construction work. The license plate so issued shall be  
51 marked "constructor" and shall be placed upon the vehicle or vehicles regis-  
52 tered under this section. In no event shall a vehicle or combination of  
53 vehicles, operating as a unit, registered under this section and using "con-  
54 structor" registration plates exceed a maximum gross weight, inclusive of  
55 load, of 70,000 pounds.

56 The applicant for "constructor" registration plates authorized herein  
57 shall pay therefor on each vehicle at the rate of \$15.00 per thousand pounds  
58 of gross weight of vehicle and load.

59 Vehicles registered and using "constructor" registration plates may not  
60 be operated at a distance greater than 30 miles from the point established as a  
61 headquarters for the particular construction operation and such vehicles,  
62 except as hereafter provided, must comply with the speed limitations of Title  
63 39 of the Revised Statutes. Such vehicles when carrying a gross weight of  
64 vehicle and load less than 50% of the certificate of registration shall comply  
65 with applicable speed laws and shall not move along a highway at a speed  
66 greater than 40 miles per hour. When carrying a gross weight of vehicle and  
67 load in excess of 50% of the certificate of registration, such vehicle shall com-  
68 ply with applicable speed laws and shall not move along a highway at a speed  
69 greater than 30 miles per hour.

70 It shall be unlawful for any vehicle registered under this act having gross  
71 weight of load and vehicle *including the gross weight of all vehicles and load*  
72 *in any combination of vehicles* in excess of the gross weight provided on the  
73 registration certificate to be operated on the highways of this State.

74 In the event that a [tractor, trailer or semitrailer] *truck, road tractor or*  
75 *truck tractor* registered under this act is found on a highway in combination  
76 with a [tractor,] trailer or semitrailer duly registered in any other State or  
77 Federal district *which imposes registration weight fees on such trailers or*  
78 *semitrailers*, the [unit] *drawing vehicle* of the combination registered under  
79 this act shall have a gross weight registration equal to at least [to]  $\frac{1}{2}$  of the  
80 combined gross weight of [both vehicles and load] *all the vehicles and load*  
81 *in the combination of vehicles*. If it does not, the operation of said [unit]  
82 *combination of vehicles* on the highways of this State shall be unlawful.

83 [Nothing in this section shall be deemed to alter or affect the application  
84 of the 5% allowance as to statutory and registered weight limitations set forth  
85 in section 5 of chapter 142, laws of 1950. Said] *The 5% allowance provided*  
86 *by section 5 of P. L. 1950, chapter 142* shall be applicable as heretofore  
87 to all registered weight limitations provided in this section, *except that in*  
88 *no event shall the gross weight of any vehicle or combination of vehicles, in-*  
89 *cluding load, exceed the Federal maximum of 73,280 pounds or as such may*  
89A *be amended from time to time*. In the case of a [tractor, trailer or semi-  
89B trailer] *truck, road tractor or truck tractor* registered under this act in  
89C combination with a [tractor,] trailer or semitrailer duly registered in any  
89D other State or Federal district *which imposes registration weight fees on*  
89E *such trailers or semitrailers*, known as a mixed combination, the 5% allow-  
89F *ance* shall be applied by adding to the registered weight of the [unit] *draw-*  
89G *ing vehicle* registered under this act 5% of said registered weight. If the  
89H resulting sum is equal at least to  $\frac{1}{2}$  of the combined gross weight of the  
89I mixed combination, then the mixed combination shall be in compliance with  
89J the registration requirements of this section.

90 Moneys realized from the increase of the fees for registrations issued  
91 pursuant to the provisions of this act shall be paid into the State treasury  
92 and credited to the General State Fund and available for general State  
93 purposes.

94 This section shall not be construed to supersede or repeal the provisions  
95 of either sections 39:3-84 or 39:4-75 of this Title.

1 3. Section 5 of chapter 142 of the laws of 1950 is amended to read as  
2 follows:

3 5. Any State Police officer or motor vehicle inspector having reason to  
4 believe that the size or weight of a vehicle and load is unlawful is authorized  
5 to require the driver to stop and submit to a measurement or weighing of the  
6 same by means of either portable or stationary scales and may require that  
7 such vehicle be driven to the nearest public scales in the event such scales  
8 are within 2 miles.

9 Whenever an officer or inspector upon measuring or weighing a vehicle  
10 and load, as above provided, determines that the size or weight is unlawful,  
11 such officer shall require the driver to stop the vehicle in a suitable place and  
12 remain standing until such portion of the load is removed as may be necessary  
13 to reduce the size or gross weight of such vehicle to such limit as permitted  
14 under this act, or permitted by the certificate of registration for the vehicle,  
15 whichever may be lower. All material so unloaded shall be cared for by the  
16 owner or operator of such vehicle at the risk of such owner or operator.

17 No vehicle shall be deemed to be in violation of the overweight provision  
18 of this act when, upon examination by an officer or inspector, the vehicle's dis-  
19 patch papers show it is proceeding from its last preceding freight pickup  
20 point **[with]** *within* the State of New Jersey by a reasonably expeditious  
21 route to the nearest available scales or to the first available scales in the  
22 general direction towards which the vehicle has been dispatched, or is re-  
23 turning from such scales after weighing-in to the last preceding pickup point.

24 When an officer or inspector determines that a vehicle is in violation of  
25 the axle weight limitations of this act but is within the legal gross maximum  
26 weight, the driver shall be permitted before proceeding to redistribute the  
27 weight of the vehicle's contents so that no axle is overweight, in which event  
28 there is no violation.

29 No arrest shall be made in cases where weight limitations provided in  
30 this section are not exceeded by more than 5%, *except that arrests may*  
31 *be made where the gross weight of any vehicle or combination of vehicles,*  
32 *including load, exceeds the Federal maximum of 73,280 pounds, or as such*  
32A *may be amended from time to time.*

33 Any person who prepares, presents to an officer or has in his possession  
34 false dispatch papers, that is to say, dispatch papers which do not corre-  
35 spond to the cargo carried, shall be subject to a fine not exceeding \$100.00.

36 Any driver of a vehicle who fails or refuses to stop and submit the  
37 vehicle and load to a measurement or weighing, or who fails or refuses when  
38 directed by an officer upon a measurement or weighing of the vehicle to stop  
39 the vehicle and otherwise comply with the provisions of this section, shall be  
40 subject to a fine not exceeding \$100.00.

41 The owner, lessee and bailee of any commercial motor vehicle, tractor,  
42 trailer or semitrailer found on a highway in violation of the dimensional  
43 restrictions of Revised Statutes 39:3-84 shall be fined not less than \$200.00  
44 nor more than \$500.00. The owner, lessee and bailee of any commercial motor  
45 vehicle, tractor, trailer or semitrailer found on a highway with a gross  
46 weight of vehicle and load in excess of the weight limitation permitted by  
47 the certificate of registration for the vehicle or in excess of the gross weight  
48 limitations imposed by this Title for vehicle and load or an axle weight in  
49 excess of the axle weight limitations imposed by this Title, shall be fined an  
50 amount equal to \$0.02 per pound for each pound of excess weight if the  
51 excess does not exceed 10,000 pounds, and \$0.03 per pound for each pound  
52 of excess weight if the excess weight exceeds 10,000 pounds, but in no event  
53 less than \$50.00.

54 The owner, lessee and bailee of a [tractor, trailer or semitrailer] *truck,*  
55 *road tractor or truck tractor* registered under this act and found on a high-  
56 way in combination with a [tractor,] trailer or semitrailer duly registered  
57 in any other State or Federal district *which imposes registration weight fees*  
58 *on such trailers or semitrailers* and in violation of the weight limitations of

59 Revised Statutes 39:3-20 shall be fined an amount equal to \$0.02 for each  
60 pound by which  $\frac{1}{2}$  of the combined gross weight of [both] all vehicles [and  
61 load] *in the combination, including load*, shall exceed the gross weight regis-  
62 tration of the [unit] *drawing vehicle* registered under this act, if the excess  
63 is not greater than 10,000 pounds, and \$0.03 for each pound of the excess if  
64 it is greater than 10,000 pounds, but in no event less than \$50.00. Whenever  
65 it is found that there is a weight in excess of any 2 or more of said weight  
66 limitations, the fine shall be levied only for the violation involving the greater  
67 or greatest excess weight.

1 4. This act shall take effect April 1, 1967.

---

#### STATEMENT

The purpose of this bill is to prevent further loss, to other States, of revenue from trailer registration fees. The majority of the other States impose fees by weight only on the drawing unit of a combination of vehicles. The registration weight sold for the drawing unit must be sufficient to cover the gross weight of the entire combination. A nominal fee, usually \$15.00 and as low as \$2.00, is charged for issuing a registration certificate and identifying marker for trailers. These low trailer registration fees place New Jersey in an unfavorable competitive position. The trailer owners have, with increasing frequency, been transferring their registrations from New Jersey to the low trailer fee States, thereby causing a substantial loss in revenue to our State. In the 1965 trailer registration year there was a drop of \$284,000.00 in trailer registration fees collected under the previous year. The bill also provides the motor carrier industry with more flexible use of trailers in that a foreign registered trailer owned by a non-resident is permitted to be operated intrastate as long as the drawing vehicle is registered in New Jersey for an amount of weight sufficient to cover the gross weight of the entire combination of vehicles.