

ASSEMBLY, No. 251

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 19, 1934

By Mr. KINZLEY

Referred to Committee on Judiciary

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 the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

1 1. Section eleven of the act to which this act is an amendment be and the  
2 same is hereby amended to read as follows:

3 11. (1) A manufacturer of motor vehicles, motor drawn vehicles, motor  
4 vehicle bodies or motor cycles doing business in this State may, with re-  
5 gard to motor or motor drawn vehicles or cycles owned or controlled by him,  
6 obtain general registration and registration plates therefor of the style and  
7 kind provided for in this act with the letter "D" stated thereon. Such plates  
8 can be placed on any vehicle or cycle owned or controlled by said manufac-  
9 turer; provided, it is operated only for shop, demonstration or delivery pur-  
10 poses.

11 A bona fide dealer in motor vehicles, motor drawn vehicles or motor  
12 cycles doing business in this State may, with regard to motor or motor drawn  
13 vehicles or cycles owned by him, obtain general registration and registration

14 plates therefor of the style and kind provided for in this act with the letter  
15 “D” stated thereon. Such plates shall only be placed on any vehicle or cycle  
16 owned by said dealer and provided it is operated exclusively for his business  
17 and not for hire.

18 Any person, partnership or corporation engaged in the business of fi-  
19 nancing the purchase of motor or motor drawn vehicles or lending money  
20 thereon may, with regard to motor or motor drawn vehicles owned or con-  
21 trolled by him or it, obtain general registration and registration plates there-  
22 for of the style and kind provided for in this act with the word “temporary”  
23 stated thereon. Such plates can be placed on any such vehicle only when it is  
24 being transported from the place where it has been kept by the purchaser or  
25 borrower to the place where it is to be kept by the repossessor, or when  
26 the repossessor desires to operate it for the purpose of demonstration for  
27 sale.

28 Any corporation engaged in the business of insuring motor vehicles or  
29 motor drawn vehicles against theft may, with regard to vehicles owned or con-  
30 trolled by it, obtain general registration and registration plates therefor of  
31 the style and kind provided for in this act with the word “temporary” stated  
32 thereon. Such plates can be placed on any such vehicle; *provided*, owner-  
33 ship or control has been obtained by virtue of the terms of an insurance  
34 against theft contract made by said corporation and only when the vehicle is  
35 to be transported for delivery to the owner thereof from the place where it  
36 has been abandoned by or seized from a thief.

37 Any person, partnership or corporation engaged in the business of trans-  
38 porting motor or motor drawn vehicles from the place of manufacture for de-  
39 livery to dealers may, with regard to said vehicles, obtain general registra-  
40 tion and registration plates therefor of the style and kind provided for in  
41 this act with the word “temporary” stated thereon; *provided*, that the Com-  
42 missioner of Motor Vehicles is satisfied as to the financial responsibility of  
43 said person, partnership or corporation to meet any claim for damages aris-  
44 ing out of automobile accidents and satisfactory evidence of said respon-  
45 sibility has been filed with him.

46 [11. (1) Every manufacturer of automobiles residing and having its  
47 principal place of business within this State, instead of registering each au-  
48 tomobile owned or controlled by him, may make application as hereinbefore  
49 provided in this act for a registration number, and the written statement, in  
50 addition to the matters hereinbefore contained, shall state that he is a man-  
51 ufacturer; that he desires to use a single number on automobiles owned or  
52 controlled by him while being used for demonstration purposes or for shop  
53 purposes. The Commissioner of Motor Vehicles may thereupon, if satisfied  
54 of the facts stated in the application, issue a certificate as herein set forth  
55 assigning the same a number, which certificate shall contain a statement  
56 that the same is issued to the applicant as a manufacturer. One certificate  
57 shall cover and be valid for the use of not more than five automobiles of said  
58 manufacturer at one time while under his control. The Commissioner of  
59 Motor Vehicles shall provide five sets of identification marks of the general  
60 style and kind provided for motor vehicle registration in this act, and such  
61 identification marks shall not be used on any vehicle not actually owned by  
62 said manufacturer or operated either by him or his duly authorized agent.

63 All such automobiles shall be regarded as registered under such general  
64 number, and in addition to the registration number displayed on the front and  
65 rear of the car, as hereafter provided, there shall be added the letter "D" of  
66 equal size and prominence. The annual fee for such manufacturer's registra-  
67 tion shall be five dollars (\$5.00) for each car so authorized to be operated un-  
68 der each registration number, and the Commissioner of Motor Vehicles shall  
69 issue registration certificates in duplicate equal to the number of cars not ex-  
70 ceeding five authorized to be operated under the said registration number.]

71 (2) The annual fee for the issuance of a certificate of registration and  
72 one set of "D" or "temporary" plates bearing a number corresponding to  
73 the number on the certificate of registration shall be thirty dollars (\$30.00);  
73½ the applicant, however, shall be entitled to obtain additional certificates and  
74 plates upon the payment of five dollars (\$5.00) for each certificate and set of  
74½ plates issued.

75     [(2) Every dealer in automobiles or motor cycles doing business in this  
76 State, instead of registering each automobile or motorcycle owned or con-  
77 trolled by him, may make application as hereinbefore provided in this act for  
78 a registration number, and the written statement, in addition to the matters  
79 hereinbefore contained, shall state that he is a dealer; that he desires to use  
80 a single number on automobiles or motorcycles owned or controlled by him  
81 while being operated for the purposes of his business as a dealer and not for  
82 hire. The Commissioner of Motor Vehicles may thereupon, if satisfied of the  
83 facts stated in said application, issue certificate as herein set forth, assign-  
84 ing the same a number, which certificate shall contain a statement that the  
85 same was issued to the applicant as a dealer. One certificate shall cover  
86 and be valid for the use of not more than five automobiles or motor cycles  
87 of said dealer at one time while under his control. The Commissioner of  
88 Motor Vehicles shall provide five sets of identification marks of the general  
89 style provided for motor vehicle registration in this act, and such identifica-  
90 tion marks shall not be used on any vehicle not actually owned by said dealer  
91 or operated either by him or his duly authorized agent. All such automo-  
92 biles or motor cycles shall be regarded as registered under such general num-  
93 ber and in addition to the registration number displayed on the front and  
94 rear of the car or motor cycle as hereafter provided, there shall be added the  
95 letter "D" of equal size and prominence. The annual fee for such dealer's  
96 registration shall be five dollars for each car or motor cycle so authorized to  
97 be operated under such registration number, and the Commissioner of Motor  
98 Vehicles shall issue registration certificates in duplicate equal to the number  
99 of cars or motor cycles not less than five sets for automobile dealers nor  
100 less than three sets for motorcycle dealers authorized to be operated under  
101 said registration number.

102     Dealers' plates shall be issued to bona fide dealers only, and said plates  
103 shall be used only on motor vehicles owned by such dealers; nor shall any  
104 dealer lend dealers' plates to any person or persons whatsoever for display  
105 upon any motor vehicle not exclusively owned by said dealer.

106 Dealers' plates marked "in transit" and corresponding in number to the  
107 numerals displayed on the dealers' registration may be issued by the Com-  
108 missioner of Motor Vehicles on application from any dealer. Such plates shall  
109 be used solely in the transportation of motor vehicles from the factory to the  
110 place of business of the dealer within this State and for no other purpose  
111 whatsoever. The cost of such dealers' plates shall be two dollars (\$2.00) for  
112 each set.]

113 (3) For each vehicle used as an omnibus for the transportation of pas-  
114 sengers for hire, the applicant shall pay an annual fee of fifteen dollars  
115 (\$15.00) for vehicles having a carrying capacity of five passengers or less;  
116 for each such vehicle having a carrying capacity for passengers of not less  
117 than six nor more than eight passengers, the annual fee shall be seventeen  
118 dollars and fifty cents (\$17.50); for each such vehicle having a carrying capac-  
119 ity for passengers of not less than nine nor more than twelve passengers,  
120 the annual fee shall be twenty dollars (\$20.00); for each such vehicle having  
121 a carrying capacity for passengers of not less than thirteen nor more than  
122 seventeen passengers, the annual fee shall be twenty-five dollars (\$25.00);  
123 for each such vehicle having a carrying capacity for passengers of not less  
124 than eighteen nor more than twenty-two passengers, the annual fee shall be  
125 thirty dollars (\$30.00;) for each such vehicle having a carrying capacity for  
126 passengers of not less than twenty-three nor more than twenty-six passen-  
127 gers, the fee shall be thirty-five dollars (\$35.00); for each such vehicle having  
128 a carrying capacity of not less than twenty-seven nor more than thirty pas-  
129 sengers, the fee shall be forty dollars (\$40.00); for each such vehicle having  
130 a carrying capacity for passengers in excess of thirty passengers, the appli-  
131 cant shall pay an annual fee of forty dollars (\$40.00), and an additional fee  
132 of two dollars (\$2.00) for each passenger, measured by carrying capacity, in  
133 excess of thirty passengers.

134 The Commissioner of Motor Vehicles shall provide identification marks  
135 of the general style and kind provided for motor vehicle registrations, as-  
136 signing a number to each identification mark, and before each number the let-  
137 ter "O" shall be placed.

138 Every such applicant for omnibus registration shall make application,  
 139 setting forth the fact that he is in business of transporting passengers for  
 140 hire, and the Commissioner of Motor Vehicles, if satisfied of the correctness  
 141 of the statements made in such application, may issue a registration certifi-  
 142 cate for omnibus license.

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

145 (4) Commercial motor vehicles, trailers, semitrailers, tractors. The ap-  
 146 plicant for registration for automobile, commercial vehicles, trailers, semi-  
 147 trailers and tractors shall pay to the Commissioner of Motor Vehicles a fee  
 148 based upon the gross weight of such vehicle and load, when loaded to its  
 149 carrying capacity. When the gross weight of the vehicle and load exceeds  
 150 the gross weight allowed by law for the particular size of tires set forth in  
 151 the application for registration, then such gross weight of vehicle and load  
 152 shall be determined according to law upon the size of tires given in such ap-  
 153 plication. The plates to be used for the commercial motor vehicles shall  
 154 display the word "commercial," and the numerals shall be prefixed by the let-  
 155 ter X; and the trailer plates shall have the letter "T."

156 The fee shall be in accordance with the following table:

157 The gross weight of vehicle and carrying capacity is—

158	1,000 pounds or less .....	\$10.00
159	1,001 to 2,000 pounds.....	12.00
160	2,001 to 3,000 pounds.....	15.00
161	3,001 to 4,000 pounds.....	20.00
162	4,001 to 5,000 pounds.....	24.00
163	5,001 to 6,000 pounds.....	27.00
164	6,001 to 7,000 pounds.....	30.00
165	7,001 to 8,000 pounds.....	33.00
166	8,001 to 9,000 pounds.....	36.00
167	9,001 to 10,000 pounds.....	39.00
168	10,001 to 11,000 pounds.....	42.00
169	11,001 to 12,000 pounds.....	45.00

170	12,001 to 13,000 pounds.....	48.00
171	12,001 to 14,000 pounds.....	51.00
172	14,001 to 15,000 pounds.....	54.00
173	15,001 to 16,000 pounds.....	57.00
174	16,001 to 17,000 pounds.....	60.00
175	17,001 to 18,000 pounds.....	63.00
176	18,001 to 19,000 pounds.....	66.00
177	19,001 to 20,000 pounds.....	69.00
178	20,001 to 21,000 pounds.....	72.00
179	21,001 to 22,000 pounds.....	75.00
180	22,001 to 23,000 pounds.....	78.00
181	23,001 to 24,000 pounds.....	81.00
182	24,001 to 25,000 pounds.....	84.00
183	25,001 to 26,000 pounds.....	87.00
184	26,001 to 27,000 pounds.....	90.00
185	27,001 to 28,000 pounds.....	93.00
186	28,001 to 29,000 pounds.....	96.00
187	29,001 to 30,000 pounds.....	99.00

188     *Provided*, that no automobile, commercial vehicle, trailer, semitrailer or  
189 tractor shall be registered by the Commissioner of Motor Vehicles unless the  
190 same are equipped with rubber tires on all wheels; *and provided, further*,  
191 that the owner of any commercial motor vehicle, tractor, trailer or semitrail-  
192 er whose vehicle shall be found overloaded on a public highway or operated  
193 with a load beyond the gross weight shown in the registration certificate for  
194 said vehicle issued by the Commissioner of Motor Vehicles or by the author-  
195 ized official or body of any other State shall be fined not less than one hun-  
196 dred dollars (\$100.00) nor more than two hundred and fifty dollars (\$250.00)  
197 for the first offense, and for any subsequent offense, not less than two hun-  
198 dred and fifty dollars (\$250.00) nor more than five hundred dollars  
199 (\$500.00), and said vehicle, but not the contents thereof, may be detained until  
200 the owner submits to the jurisdiction of the court and the fine is paid or proper  
201 bond be posted for an appeal if there be a conviction; and any person who

202 shall operate an automobile, commercial vehicle, trailer or semitrailer or trac-  
203 tor not equipped on all wheels with rubber tires shall be fined not less than  
204 fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the  
205 first offense and for any subsequent offense not less than one hundred dollars  
206 (\$100.00), nor more than two hundred dollars (\$200.00); *provided, further,*  
207 that any tractor equipped with solid rubber tires impaired to such an extent  
208 as to be likely to cause damage to the public highways shall be fined not less  
209 than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for  
210 the first offense, and for any subsequent offense not less than one hundred  
211 dollars (\$100.00) nor more than two hundred dollars (\$200.00); *and pro-*  
212 *vided, further,* that tractors used for agricultural purposes may be operated  
213 over the highways of this State without being equipped with rubber tires un-  
214 der such regulations as shall from time to time be adopted by the Commis-  
215 sioner of Motor Vehicles. No provision contained in this subdivision shall be  
216 construed as to supersede or repeal the provisions of subdivision six of sec-  
217 tion fourteen and subdivision four of section twenty-one of the act to which  
218 this act is amendatory.

219 (5) Passenger vehicles. The applicant for registration for motor ve-  
220 hicles shall pay to the Commissioner of Motor Vehicles for each registration  
221 a fee of forty cents (\$0.40) per horsepower for the rated horsepower of such  
222 motor vehicle or the major fraction thereof for the rated horsepower of such  
223 motor vehicle up to and including vehicles of a twenty-nine horsepower rat-  
224 ing; and all passenger motor vehicles having a rating of thirty horsepower or  
225 more shall pay a fee of fifty cents (\$0.50) per horsepower or the major frac-  
226 tion thereof.

227 (6) Motorcycles. The applicant for registration for a motorcycle shall  
228 pay to the Commissioner of Motor Vehicles for each registration a fee of two  
229 dollars (\$2.00).

230 (7) Reduction in fee on and after July first. If application shall be made  
231 for registration of a motor vehicle, commercial motor vehicle, trailer, semi-  
232 trailer, tractor or omnibus on and after the first day of July in any year, the  
233 applicant shall be required to pay but one-half the registration fee herein pro-  
234 vided for in the class to which said vehicle belongs.

235 (8) Refusal of registration. The Commissioner of Motor Vehicles may  
236 refuse registration in the case of any automobile, commercial motor vehicle,  
237 trailer, semitrailer, tractor or omnibus that shall not comply with the require-  
238 ments of this act or that shall seem to him unsuitable for use on the roads  
239 and highways of this State.

240 (9) Certificate issued. The Commissioner of Motor Vehicles shall issue  
241 for each automobile so registered a certificate, properly numbered, stating  
242 that such motor vehicle or motorcycle is registered in accordance with the  
243 law, and shall cause the name of such owner, with his address and the num-  
244 ber of his certificate and description of such automobile, to be entered on the  
245 records of his department in alphabetical and numerical order. And the hold-  
246 er of said certificate, when requested by any motor vehicle inspector, police  
247 officer or magistrate, while in the performance of the duties of his office, shall  
248 exhibit said certificate, to the end that the said motor vehicle inspector, po-  
249 lice officer or magistrate may thereby determine the correctness of said cer-  
250 tificate as the same relates to the registration number plates of the motor  
251 vehicle for which the said certificate was issued.

252 (10) Duplicate certificates. The Commissioner of Motor Vehicles, upon  
253 presentation of a statement duly sworn to, setting forth that the original reg-  
254 istration certificate or driver's license has been destroyed, lost or stolen, may,  
255-256 if he is satisfied that the facts as set forth in the statement are substantially  
257 true, issue a duplicate registration certificate or driver's license to the orig-  
258 inal holder thereof, upon the payment to the Commissioner of Motor Ve-  
259 hicles of a fee of one dollar for each duplicate registration certificate or  
260 driver's license so issued.

1 2. All acts or parts of acts inconsistent herewith are hereby repealed.

1 3. This act shall take effect immediately.

## STATEMENT

This bill is drawn at the request of Commissioner of Motor Vehicles, who desires its passage.

At present, an automobile finance company is unable to transport a repossessed car from the place where it has been kept by the conditional vendee or borrower to its own place of business unless it obtains a regular set of registration plates. The Attorney-General has ruled that a finance company is not entitled to dealer's plates. This imposes a harsh financial burden upon a finance company as in the usual course of business it does not retain ownership of a repossessed car any longer than is necessary to dispose of it. Under this amendment, it will be able to obtain general registration at the same price as paid by an automobile dealer.

An automobile theft insurance company is obliged, under its policy, to deliver a stolen car to the residence of the owner. Under our present law, it is impossible for the insurance company to do so without obtaining regular registration. The purpose of this amendment is to permit it to obtain "temporary" plates at the same price as paid by an automobile dealer.

We have a number of automobile convoy companies doing business in this State transporting new cars from factory to dealer. Delivery of cars by individual operators can be effected more speedily than by trailer transportation. Operation by individual drivers over the trailer method means the employment of more men. Manufacturers, convoy companies and dealers prefer individual delivery. However, individual delivery is prohibitive because regular registration of each car is now required. This amendment will enable convoy companies to obtain "temporary" plates at the same price as dealers pay.

The increase from \$25.00 for five sets of "dealer's" plates to \$30.00 for one set and \$5.00 for every additional set will not impose any hardship upon bona fide automobile dealers.