

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:3-3 (License plates--
reissue-reflectorized)

LAWS OF: 1989 **CHAPTER:** 202

Bill No: S835

Sponsor(s): Graves

Date Introduced: Pre-filed

Committee: Assembly: Law, Public Safety and Corrections

Senate: Law, Public Safety and Defense

Amended during passage: Yes

Date of Passage: Assembly: June 19, 1989 Re-enacted 11-27-89

Senate: June 2, 1988 Re-enacted 11-20-89

Date of approval: December 8, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: Yes

Message on signing: No

Following were printed:

Reports: No

Hearings: Yes

See newspaper clippings attached:

"Senate oks bills on license plates, dogs," 11-21-89 Courier Post.

"License plates to 'shine,'" 12-9-89 Star Ledger.

"Kean approves panel on license tag design," 2-9-89 Trenton Times

Report mentioned in statements:

Public hearing mentioned in statement:

974.90 New Jersey Legislature. Senate. Committee on Law, Public Safety and
A939 Defense.

1987b Public hearing...motor vehicle license plates, held 7-21-87, Newark,
NJ 1987.

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator GRAVES

1 AN ACT concerning reflectorized motor vehicle registration
2 plates ²[and] ²,² amending R.S.39:3-33 ²[,] and² supplementing
3 chapter 3 of Title 39 of the Revised Statutes ²[, and making an
4 appropriation]².

5

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

8 1. R.S.39:3-33 is amended to read as follows:

9 39:3-33. The owner of an automobile which is driven on the
10 public highways of this State shall display not less than 12 inches
11 nor more than 48 inches from the ground in a horizontal position,
12 and in such a way as not to swing, an identification mark or
13 marks to be furnished by the division; provided, that if two marks
14 are issued they shall be displayed on the front and rear of the
15 vehicle; and provided, further, that if only one mark is issued it
16 shall be displayed on the rear of the vehicle; and provided,
17 further, that the rear identification mark may be displayed more
18 than 48 inches from the ground on tank trucks, trailers and other
19 commercial vehicles carrying inflammable liquids and on
20 sanitation vehicles which are used to collect, transport and
21 dispose of garbage, solid wastes and refuse. Motorcycles shall
22 also display an identification mark or marks; provided, that if
23 two marks are issued they shall be displayed on the front and rear
24 of the motorcycle; and provided, further, that if only one mark is
25 issued it shall be displayed on the rear of the motorcycle.

26 The identification mark or marks shall contain the number of
27 the registration certificate of the vehicle and shall be of such
28 design and material as ²[the director prescribes] prescribed
29 pursuant to section 2 of P.L. , c. (C.) (now pending
30 before the Legislature as this bill)]². ²[All registration plates
31 issued by the division after [January 1, 1982] December 31, 1990
32 shall be of a permanent nature and shall be fully treated with a

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:

¹ Senate SLP committee amendments adopted January 21, 1988.

² Senate SRF committee amendments adopted May 19, 1988.

³ Assembly AAP committee amendments adopted March 2, 1989.

⁴ Senate amendments adopted in accordance with Governor's recommendations October 19, 1989.

1 reflectorized material designed to increase the nighttime
2 visibility and legibility thereof, according to specifications
3 prescribed by the division]² [, except that the division shall first
4 use any existing supplies of nonreflectorized plates which it
5 ordered prior to that date. Whenever reflectorized registration
6 plates are issued for any vehicle for which a registration fee is
7 normally charged, the division may charge an additional fee not
8 to exceed \$0.05 above actual costs] ²[.]² All identification marks
9 shall be kept clear and distinct and free from grease, dust or
10 other blurring matter, so as to be plainly visible at all times of
11 the day and night.

12 The director is authorized and empowered to issue registration
13 plate inserts, to be inserted in and attached to the registration
14 plates or markers described herein. They may be issued in the
15 place of new registration plates or markers; and inscribed
16 thereon, in numerals, shall be the year in which registration of
17 the vehicle has been granted.

18 No person shall drive a motor vehicle the owner of which has
19 not complied with the provisions of this subtitle concerning the
20 proper registration and identification thereof, nor drive a motor
21 vehicle which displays a fictitious number, or a number other
22 than that designated for the motor vehicle in its registration
23 certificate.

24 A person convicted of displaying a fictitious number, as
25 prohibited herein, shall be subject to a fine not exceeding \$500.00
26 or imprisonment in the county jail for not more than 60 days.

27 A person violating any other provision of this section shall be
28 subject to a fine not exceeding \$100.00. In default of the
29 payment thereof, there shall be imposed an imprisonment in the
30 county jail for a period not exceeding 10 days. A person
31 convicted of a second offense of the same violation may be fined
32 in double the amount herein prescribed for the first offense and
33 may, in default of the payment thereof, be punished by
34 imprisonment in the county jail for a period not exceeding 20
35 days. These penalties shall not apply to the display of a fictitious
36 number.

37 (cf: P.L.1983, c.428, s.1)

38 2. (New section) a. The Director of the Division of Motor
39 Vehicles shall implement a ²[general reissuance] phase-in

1 program for the issuance² of ²reflectorized² motor vehicle
2 registration plates in this State, the planning ²[and
3 implementation]² of which shall begin ²[on the effective date of
4 this amendatory and supplementary act and shall be completed by
5 December 31, 1990] immediately for the issuance which shall
6 begin on the first day of the seventh month following
7 ⁴[enactment] the report of the Reflectorized License Plate
8 Selection Committee established pursuant to this section⁴ of this
9 ³[1988] 1989³ amendatory and supplementary act, P.L. _____,
10 c. _____ (C. _____) (now pending before the Legislature as this bill),
11 except that the division shall first use any existing supplies of
12 nonreflectorized plates which it orders prior to the
13 commencement of the issuance². The purpose of the ²[general
14 reissuance] issuance² shall be to change the color scheme and
15 style of the ²[current]² registration plates ²in use prior to the
16 beginning of the issuance² in order to provide for greater
17 contrast between the background of the plate and the lettering
18 and to ensure that all plates are fully treated with a reflectorized
19 material designed to increase their nighttime visibility and
20 legibility. The color scheme and style of the new plates shall be
21 ¹[selected by the director in consultation with the law
22 enforcement authorities in this State] ⁴[a background of an
23 off-white color, blue lettering for the words "NEW JERSEY"
24 across the top of the plate and for the words "GARDEN STATE"
25 across the bottom of the plate, and a broad yellow stripe across
26 the center of the plate over the navy blue registration numbers¹]
27 selected by the Reflectorized License Plate Selection
28 Commission hereby created. The commission shall consist of five
29 members, three appointed by the Governor, one by the President
30 of the Senate, and one by the Speaker of the General Assembly.
31 The commission shall select the color scheme and design of the
32 new reflectorized license plate after considering the needs of law
33 enforcement and highway safety, aesthetics, cost and the
34 continued ability of the corrections system to manufacture the
35 plate. The commission will first meet within 60 days of the
36 effective date of this act and shall report its choice to the
37 Director of the Division of Motor Vehicles within 180 days of this
38 act becoming effective⁴. The markings on the plates shall be in
39 accordance with specifications prescribed by the director

1 ⁴[; however, these markings shall contain, where appropriate, a
2 three letter - three number combination of identifying
3 characters]⁴. ¹[No later than the first day of the sixth month
4 after the effective date of this amendatory and supplementary
5 act, the director shall notify the Governor and members of the
6 Legislature of the new color scheme and style selected for the
7 registration plates pursuant to this section.]¹

8 ²For a period of six years commencing on the first day of the
9 seventh month following enactment of this ³[1988] 1989³
10 amendatory and supplementary act, P.L. _____, c. _____ (C. _____)
11 (now pending before the Legislature as this bill), the division may
12 charge in addition to an annual motor vehicle registration fee, an
13 additional annual fee not to exceed ³[\$0.20] ⁴[\$0.25³] \$0.40⁴ for
14 the costs of the issuance of reflectorized motor vehicle
15 registration plates in this State.²

16 ²[b. Each owner of a motor vehicle registered in this State
17 shall pay a one-time additional registration fee of not more than
18 \$2.75 when the new registration plates required by this
19 amendatory and supplementary act are issued to the owner during
20 this general reissuance program. The exact amount of the
21 additional fee is to be set by the director based on the actual cost
22 of the new plates and the additional administrative costs for the
23 reissuance program. This additional fee shall be assessed and
24 paid only once by an owner at the time that the new registration
25 plates are issued and in no event shall the additional fee be
26 assessed against any owner after December 31, 1990. The
27 additional fees received by the director pursuant to this section
28 shall be forwarded to the State Treasurer and deposited into a
29 special fund. The money deposited in this fund and any interest
30 accruing shall be disbursed by the State Treasurer for the sole
31 purpose of defraying the expenses incurred in the reissuance
32 program prior to January 1, 1991. Upon the completion of the
33 registration plate reissuance program, any money remaining in
34 the special fund in excess of the amount required to defray the
35 expenses of the program shall be deposited in the General State
36 Fund.

37 c.] b.² The Director of the Division of Motor Vehicles shall
38 promulgate rules and regulations pursuant to the "Administrative
39 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) in order to

1 effectuate the purposes of this act.

2 ²[d.] c.² The director shall submit an annual progress report on
 3 the planning and implementation of the ²reflectorized² motor
 4 vehicle registration plate ²[reissuance] phase-in² program to the
 5 Governor and members of the Legislature with the first report to
 6 be submitted ²[on the first day of the 13th month after the
 7 effective date] one year after enactment² of this ³[²1988²]
 8 ¹⁹⁸⁹³ amendatory and supplementary act. ⁴The annual report
 9 submitted after the fourth year of implementation shall contain a
 10 recommendation as to the advisability and feasibility of a general
 11 recall of all plates of an earlier design that are still in use at the
 12 completion of the phase-in program. This report shall also
 13 contain the director's recommendation of a funding source for
 14 the ongoing costs associated with the continued issuance of
 15 reflectorized plates.⁴ ²The last report shall be submitted after
 16 the completion of the phase-in program.²

17 ²[3. (New section) During the reissuance period, a vehicle
 18 owner with courtesy registration plates obtained with the
 19 recommendation of a State Senator shall return those plates as
 20 requested by the director. Those plates will be replaced by
 21 standard reflectorized plates unless the owner resubmits a
 22 senatorial recommendation for courtesy plates.]²

23 ²[4. There is appropriated to the Department of Law and
 24 Public Safety the sum of \$1,900,000.00 ¹as a loan¹ out of the
 25 General Fund to carry out the purposes of this amendatory and
 26 supplementary act. This appropriation shall be deposited in the
 27 special fund established pursuant to section 2 of this act and
 28 dispensed as provided therein.]²

29 ²[5.] 3.² This act shall take effect ²[on the first day of the
 30 second month after the date of enactment] immediately².

31

32

33

PUBLIC SAFETY

34

Motor Vehicles

35

36 Requires the issuance of reflectorized motor vehicle registration
 37 plates.

the amount required to pay the expenses of the program shall be deposited in the General State Fund.

5 c. The Director of the Division of Motor Vehicles shall promulgate rules and regulations pursuant to the
7 "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.) in order to effectuate the purposes of this act.

9 d. The director shall submit an annual progress report on the planning and implementation of the motor vehicle registration
11 plate reissuance program to the Governor and members of the Legislature with the first report to be submitted on the first day
13 of the 13th month after the effective date of this amendatory and supplementary act.

15 3. (New section) During the reissuance period, a vehicle owner with courtesy registration plates obtained with the
17 recommendation of a State Senator shall return those plates as requested by the director. Those plates will be replaced by
19 standard reflectorized plates unless the owner resubmits a senatorial recommendation for courtesy plates.

21 4. There is appropriated to the Department of Law and Public Safety the sum of \$1,900,000.00 out of the General Fund to
23 carry out the purposes of this amendatory and supplementary act. This appropriation shall be deposited in the special fund
25 established pursuant to section 2 of this act and dispensed as provided therein.

27 5. This act shall take effect on the first day of the second month after the date of enactment.

29
31 **STATEMENT**

33 The purpose of this bill is to mandate a general reissuance of motor vehicle registration plates by the Division of Motor
35 Vehicles in the Department of Law and Public Safety. The new registration plates will be fully reflectorized for increased
37 visibility and legibility. The division will select a new color scheme and style of the plates after consultation with State law
39 enforcement authorities.

1 The Division of Motor Vehicles will be required to complete
the general reissuance by December 31, 1990. The costs for the
3 reissuance will be covered by an additional one-time
registration fee of not more than \$2.75 to be paid by owners of
5 motor vehicles registered in this State. The exact amount of
the additional fee will be set by the director to reflect the
7 actual cost of the new plates and the additional administrative
costs of the reissuance program.

9 This bill is a result of a public hearing held by the Senate Law,
Public Safety, and Defense Committee on July 21, 1987. At
11 that time, the law enforcement authorities stressed that
reflectorization and a change in the color scheme and style of
13 the registration plates are urgently needed to improve their
visibility and legibility. Reflectorization of registration plates
15 should have been completed in accordance with a legislative
mandate (P.L. 1981, c. 133) back in January of 1982. However,
17 this was not accomplished because funding to cover the costs of
reflectorization was not made available according to the
19 division.

During the public hearing, the Director of the Division of
21 Motor Vehicles announced the division's readiness to implement
a general reissuance program for completion by December 31,
23 1990 provided funding is made available. The Senate Law,
Public Safety and Defense Committee members agreed on the
25 need for the passage of necessary legislation and for the
immediate commencement of a general reissuance program.

27 The amount of \$1,900,000.00 is appropriated to the division as
a loan from the general fund for the start-up of the reissuance
29 program.

31

PUBLIC SAFETY

33

Motor Vehicles

35 Requires general reissuance of motor vehicle registration plates;
appropriates \$1.9 million.

ASSEMBLY LAW, PUBLIC SAFETY AND CORRECTIONS
COMMITTEE

STATEMENT TO

[SECOND REPRINT]

SENATE, No. 835

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 1989

The Assembly Law, Public Safety and Corrections Committee favorably reports Senate Bill No. 835 (2R).

Senate Bill No. 835 (2R) authorizes a phased-in issuance of reflectorized motor vehicle registration plates.

Under the provisions of the bill, the Division of Motor Vehicles is to begin issuing reflectorized license plates once their supply of nonreflectorized is depleted. To cover the cost, the division is authorized to add \$0.20 to the current annual registration fee for a period of six years.

The color and design of the reflectorized plates is set forth in the bill. The plates are to have an off-white background, blue lettering for the words "New Jersey" and "Garden State" and a broad, yellow stripe across the center of the plate over the navy blue registration numbers.

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 835

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 21, 1988

The purpose of Senate Bill 835, as amended by the committee, is to mandate a general reissuance of motor vehicle registration plates by the Division of Motor Vehicles in the Department of Law and Public Safety. The new registration plates will be fully reflectorized for increased visibility and legibility.

The Division of Motor Vehicles will be required to complete the general reissuance by December 31, 1990. and the costs will be covered by an additional one-time registration fee of not more than \$2.75 to be paid by owners of motor vehicles registered in this State. The exact amount of the additional fee will be set by the director to reflect the actual cost of the new plates and the additional administrative costs of the reissuance program.

This bill is a result of a public hearing held by the Senate Law, Public Safety, and Defense Committee on July 21, 1987. At that time, the law enforcement authorities stressed that reflectorization and a change in the color scheme and style of the registration plates are urgently needed to improve their visibility and legibility. Reflectorization of registration plates should have been completed in accordance with a legislative mandate (P.L. 1981, c. 133) back in January of 1982. However, this was not accomplished because funding to cover the costs of reflectorization was not made available according to the division.

During the public hearing, the Director of the Division of Motor Vehicles announced the division's readiness to implement a general reissuance program for completion by December 31, 1990 provided funding is made available. The Senate Law, Public Safety and Defense Committee members agreed on the need for the passage of necessary legislation and for the immediate commencement of a general reissuance program.

The amount of \$1,900,000.00 is appropriated to the division as a loan from the general fund for the start-up of the reissuance program.

The committee amended the bill in order to clarify in section 4 that the \$1.9 million appropriation is a loan from the General Fund and to describe in section 2 the color scheme and style of the new plates. The new plates will have a background of an off-white color, blue lettering for the words "NEW JERSEY" across the top of the plate and for the words "GARDEN STATE" across the bottom of the plate, and a broad yellow stripe across the center of the plate over the navy blue registration numbers.

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes changes required by technical review which has been performed.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

August 14, 1989

SENATE BILL NO. 835 (Third Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 835 (Third Reprint) with my objections for reconsideration.

The bill provides for a program to phase-in the issuance of reflectorized motor vehicle registration plates by the Division of Motor Vehicles. The bill requires that all new license plates be reflectorized to increase their night visibility and changes the color scheme and style of the current registration plate by substituting a background of an off-white color, blue lettering for the words "New Jersey" across the top of the plate and for the words "Garden State" across the bottom of the plate, and a broad yellow stripe across the center of the plate over the navy blue registration numbers. The bill further specifies that the registration numbers shall consist of a combination of three-letter and three-numeral characters. To defray the cost of the program's implementation, the bill authorizes an additional charge not to exceed \$.25 to the annual motor vehicle registration fee for a period of six years. In addition, the Director of the Division of Motor Vehicles is obligated under this bill to submit an annual report on the planning and implementation of the program to the Governor and members of the Legislature, the first report to be submitted one year after enactment and the last report after the completion of the phase-in program.

The use of reflectorized license plates serves many important interests. From the law enforcement perspective, reflectorization will enhance nighttime legibility of plates and allow police officers to identify vehicles from a greater distance. This will result in increased arrests and improved safety for our officers. At the same time, civilian motorists and pedestrians will also be able to identify more readily a vehicle involved in a hit and run accident or other motor vehicle infraction. The traffic safety benefits of reflectorization include a demonstrated decrease in rear-end collisions involving disabled vehicles that are pulled over to the side of a dark roadway

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

and an increased ability for motorists to properly position approaching vehicles with one headlight. I concur with the State Police Superintendent when he describes reflectorized plates as the cheapest highway safety investment that can be made today.

However, despite my support for reflectorized plates, I cannot sign this bill in its present form. The Director of the Division of Motor Vehicles has indicated to me that his Division will be unable to implement the program with the bill's funding structure of \$.25 per registration for each of six years. The Division has carefully studied the program crafted by this bill and has projected that an annual surcharge of \$.40 is needed to implement the program. To ensure that this program is on sound fiscal footing, I recommend that the annual surcharge be established at \$.40 per registration. Also, to ensure full and early participation in this program, I recommend that the Director evaluate this phase-in program after the fourth year of implementation to determine if a general recall of the current plates is advisable.

I am also concerned with the specific language in the bill necessitating a three-letter and three-number combination of identifying characters for each license plate. This requirement could create substantial confusion throughout the State because the Division of Motor Vehicles would be required to issue new reflectorized license plates with the same three-letter, three-numeral registration number as some existing plates currently in use. To alleviate the serious confusion that would result, I recommend that the bill be silent on the issue and allow the Division of Motor Vehicles to continue with the numbering system currently in use.

Lastly, the suggested plate is ugly. Because I would like to ensure that the new reflectorized plates be as aesthetically pleasing and publicly popular as possible while also achieving the important law enforcement and highway safety goals, I recommend the creation of a Reflectorized License Plate Selection Commission. The Commission will be comprised of five members, three appointed by the Governor, one by the President of the Senate and one by the

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

3

Speaker of the General Assembly. The Commission will be charged with determining the color scheme and design of the new reflectorized license plate and will ensure that the proposed plate reflects the pride we all feel in the State of New Jersey. The Commission shall report the final design and color scheme of the plate to the Director of the Division of Motor Vehicles within 180 days of the act becoming effective at which time the Director will commence action necessary for implementation.

Accordingly, for the reasons I have stated above, I herewith return Senate Bill No. 835 (Third Reprint) for reconsideration and recommend that it be amended as follows:

Page 3, Section 2, Line 6: After "following" DELETE "enactment" and INSERT "the report of the Reflectorized License Plate Selection Committee established pursuant to this section"

Page 3, Section 2, Lines 20-24: DELETE in entirety. INSERT "selected by the Reflectorized License Plate Selection Commission hereby created. The Commission shall consist of five members, three appointed by the Governor, one by the President of the Senate and one by the Speaker of the General Assembly. The Commission shall select the color scheme and design of the new reflectorized license plate after considering the needs of law enforcement and highway safety, aesthetics, cost and the continued ability of the corrections system to manufacture the plate. The Commission will first meet within 60 days of the effective date of this act and shall report its choice to the Director of the Division of Motor Vehicles within 180 days of this act becoming effective."

Page 3, Section 2, Lines 26-28: After "director" DELETE "; however, these markings shall contain, where appropriate, a three letter three number combination of identifying characters"

Page 3, Section 2, Line 39: DELETE "\$0.25" and INSERT "\$0.40."

Page 4, Section 2c, Line 34: After "act." INSERT "The annual report submitted after the fourth year of implementation shall contain a recommendation as to the advisability and feasibility of a general recall of all plates of an earlier design that are still in use at the completion of the phase-in

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

4

program. This report shall also contain the Director's recommendation of a funding source for the ongoing costs associated with the continued issuance of reflectorized plates."

Respectfully,

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Deborah T. Poritz

Chief Counsel