

56:8-233
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2025 **CHAPTER:** 154

NJSA: 56:8-233, Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

BILL NO: S3132 (Substituted for A4334 (2R))

SPONSOR(S) Ruiz, M. Teresa and others

DATE INTRODUCED: 4/15/2024

COMMITTEE: **ASSEMBLY:** Consumer Affairs

SENATE: Commerce

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 06/30/2025

SENATE: 06/30/2025

DATE OF APPROVAL: 10/20/2025

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (S3132 ScaSaSaAa (4R) enacted)

ADVANCE LAW	Yes
PAMPHLET LAW	Yes

S3132

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	SCM 10/10/24 1R Senate 10/28/24 2R Senate 12/19/24 3R Assembly 5/22/25 4R
TECHNICAL REVIEW OF BILL:	No	
COMMITTEE STATEMENT: ASSEMBLY:	Yes	
SENATE:	Yes	

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes	10/28/2024 12/19/2024 05/22/2025
LEGISLATIVE FISCAL ESTIMATE:	No	

A4334 (2R)

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	ACO 5/15/25 Assembly 5/22/25 2R
TECHNICAL REVIEW OF BILL:	No	
COMMITTEE STATEMENT:		
ASSEMBLY:	Yes	
SENATE:	No	

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes	05/22/2025
LEGISLATIVE FISCAL ESTIMATE:	No	
VETO MESSAGE:	No	
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes	
LEGISLATOR STATEMENT:	No	
FOLLOWING WERE PRINTED:		
To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or mailto:refdesk@njstatelib.org		
REPORTS:	No	
HEARINGS:	No	
NEWSPAPER ARTICLES:	No	

CL/MMcB

P.L. 2025, CHAPTER 154, *approved October 20, 2025*
Senate, No. 3132 (*Fourth Reprint*)

1 AN ACT concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39
3 (C.56:8-1 et seq.).
4

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

8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand
12 property. This term shall not include providers of commercial
13 mobile service, as defined in 47 U.S.C. s.332(d), ³**[and]**³ the
14 provider’s authorized agents and retailers that have contractual
15 relationships with the provider to sell the provider’s authorized
16 products and services ³, an entity licensed to provide portable
17 electronics insurance, as defined in section 1 of P.L.2012, c.56
18 (C.17:22A-49), or an affiliate of an entity licensed to provide
19 portable electronics insurance³. ¹This term includes an automated
20 kiosk that purchases secondhand property.¹

21 “Secondhand property” means any previously owned cellular
22 telephone or wireless communication device.

23 “Wireless communication device” means any device through
24 which personal wireless services, as defined in 47 U.S.C.
25 s.332(c)(7)(C)(i), are transmitted.

26 b. (1) At the time of each transaction, a secondhand dealer
27 shall document the description of each cellular telephone or
28 wireless communication device and shall include ¹a device
29 identifier, to mean¹ the Mobile Equipment Identifier, International
30 Mobile Station Equipment Identity, or Electronic Serial Number of
31 the wireless communication device. ¹If the device identifiers are not
32 available at the time of the transaction, the secondhand dealer shall
33 update the description of the device with a device identifier as soon
34 as commercially practicable.¹

35 (2) The record maintained pursuant to this subsection also shall
36 include a receipt with the purchase amount and a statement that the
37 person selling the cellular telephone or wireless communication

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:

¹Senate SCM committee amendments adopted October 10, 2024.

²Senate floor amendments adopted October 28, 2024.

³Senate floor amendments adopted December 19, 2024.

⁴Assembly floor amendments adopted May 22, 2025.

1 device is of lawful age; that the driver's license number or other
2 government-issued identification number and all other identifying
3 information provided by the seller are true and correct; and that the
4 person selling the cellular telephone or wireless communication
5 device is the lawful owner of the cellular telephone or wireless
6 communication device with absolute authority to sell the cellular
7 telephone or wireless communication device.

8 c. It shall be unlawful for any person who sells a cellular
9 telephone or wireless communication device to a secondhand dealer
10 to submit false or fraudulent information to a secondhand dealer on
11 any receipt required under this section.

12 d. A secondhand dealer shall not sell a cellular telephone or
13 wireless communication device that was knowingly acquired
14 through false or fraudulent information.

15 e. Prior to purchase, every secondhand dealer shall require two
16 forms of identification to be shown by each person attempting to
17 sell any cellular telephone or wireless communication device. At
18 least one of the two forms of identification shall be photographic
19 identification issued by a federal, state, or local governmental
20 entity. Forms of identification may include, but are not limited to, a
21 state driver's license, a state identification card, a passport, a
22 military identification card, a credit card, or a utility bill.

23 If the seller does not have photographic identification issued by a
24 federal, state, or local governmental entity, the secondhand dealer
25 shall ¹:

26 (1)¹ photograph the seller ¹['. The photograph shall be ¹ in color
27 ¹;

28 (2) ensure the photograph clearly shows the face of the seller
29 sufficient to identify the person;¹ and

30 ¹(3)¹ on the ¹['reverse side of'] documentation accompanying¹ the
31 photograph, ¹['the secondhand dealer shall']¹ record the seller's
32 name, residence address, date of birth, gender, height, and weight.

33 ¹A photograph that meets the requirements of paragraphs (1)
34 through (3) of this subsection shall be deemed a form of
35 photographic identification for the purposes of this subsection.

36 An automated kiosk that requires a person attempting to sell a
37 cellular telephone or wireless communication device to provide a
38 government or state-issued identification card is exempt from the
39 identification requirements of this subsection.¹

40 f. A secondhand dealer shall not remove, alter, or obliterate
41 any manufacturer's make, model, or serial number; personal
42 identification number; or identifying marks engraved or etched on a
43 cellular telephone or wireless communication device. A
44 secondhand dealer shall not purchase a cellular telephone or
45 wireless communication device where the manufacturer's make,
46 model, or serial number; personal identification number; or

1 identifying marks engraved or etched on the device have been
2 removed, altered or obliterated.

3 g. ⁴(1)⁴ The records required pursuant to this section shall ²be
4 maintained by a secondhand dealer for a period of one year after the
5 purchase of a cellular telephone or wireless communication device
6 by a secondhand dealer, and shall², at all times during the
7 secondhand dealer's business hours, be open to inspection by a
8 member of a State, county, or municipal law enforcement agency.

9 ⁴(2) A secondhand dealer shall make available any records
10 requested for inspection by the Director of the Division of
11 Consumer Affairs in the Department of Law and Public Safety.

12 (3) A secondhand dealer shall not sell or share information or
13 data regarding a person who sells a cellular telephone or wireless
14 communication device to the dealer without that person's written
15 consent, and shall securely maintain the information or data
16 pursuant to rules or regulations as may be established by the
17 director.⁴

18 h. Any person who violates the provisions of this section shall
19 be liable to a civil penalty of ⁴not more than⁴ \$250 for a first
20 offense, ⁴not more than⁴ \$500 for a second offense, and ⁴not more
21 than⁴ \$1,000 for a third or subsequent offense which ⁴shall be
22 collected ⁴may be imposed⁴ by the Director of the Division of
23 Consumer Affairs in the Department of Law and Public Safety ⁴and
24 shall be collected⁴ in a summary proceeding before a court of
25 competent jurisdiction pursuant to the provisions of the "Penalty
26 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
27 Each transaction in violation of this section shall constitute a
28 separate offense.

29 A violation of this section shall not be considered an unlawful
30 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

31
32 ⁴2. The Director of the Division of Consumer Affairs in the
33 Department of Law and Public Safety, pursuant to the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.), may promulgate rules and regulations to effectuate the
36 provisions of this act.⁴

37
38 ⁴[2.] ³.⁴ This act shall take effect immediately.
39
40
41
42

43 Imposes certain requirements on secondhand dealers of cellular
44 telephones and wireless communication devices.

CHAPTER 154

AN ACT concerning secondhand cellular telephones and wireless communication devices and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

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

C.56:8-233 Secondhand cellular telephone transactions, dealer, documentation, device identifier.

1. a. As used in this section:

“Secondhand dealer” means any person who engages in the business of purchasing, selling, receiving, trading, consignment selling, or otherwise transferring for value any secondhand property. This term shall not include providers of commercial mobile service, as defined in 47 U.S.C. s.332(d), the provider’s authorized agents and retailers that have contractual relationships with the provider to sell the provider’s authorized products and services, an entity licensed to provide portable electronics insurance, as defined in section 1 of P.L.2012, c.56 (C.17:22A-49), or an affiliate of an entity licensed to provide portable electronics insurance. This term includes an automated kiosk that purchases secondhand property.

“Secondhand property” means any previously owned cellular telephone or wireless communication device.

“Wireless communication device” means any device through which personal wireless services, as defined in 47 U.S.C. s.332(c)(7)(C)(i), are transmitted.

b. (1) At the time of each transaction, a secondhand dealer shall document the description of each cellular telephone or wireless communication device and shall include a device identifier, to mean the Mobile Equipment Identifier, International Mobile Station Equipment Identity, or Electronic Serial Number of the wireless communication device. If the device identifiers are not available at the time of the transaction, the secondhand dealer shall update the description of the device with a device identifier as soon as commercially practicable.

(2) The record maintained pursuant to this subsection also shall include a receipt with the purchase amount and a statement that the person selling the cellular telephone or wireless communication device is of lawful age, that the driver’s license number or other government-issued identification number and all other identifying information provided by the seller are true and correct, and that the person selling the cellular telephone or wireless communication device is the lawful owner of the cellular telephone or wireless communication device with absolute authority to sell the cellular telephone or wireless communication device.

c. It shall be unlawful for any person who sells a cellular telephone or wireless communication device to a secondhand dealer to submit false or fraudulent information to a secondhand dealer on any receipt required under this section.

d. A secondhand dealer shall not sell a cellular telephone or wireless communication device that was knowingly acquired through false or fraudulent information.

e. Prior to purchase, every secondhand dealer shall require two forms of identification to be shown by each person attempting to sell any cellular telephone or wireless communication device. At least one of the two forms of identification shall be photographic identification issued by a federal, state, or local governmental entity. Forms of identification may include, but are not limited to, a state driver’s license, a state identification card, a passport, a military identification card, a credit card, or a utility bill.

If the seller does not have photographic identification issued by a federal, state, or local governmental entity, the secondhand dealer shall:

(1) photograph the seller in color;

(2) ensure the photograph clearly shows the face of the seller sufficient to identify the person; and

(3) on the documentation accompanying the photograph, record the seller's name, residence address, date of birth, gender, height, and weight.

A photograph that meets the requirements of paragraphs (1) through (3) of this subsection shall be deemed a form of photographic identification for the purposes of this subsection.

An automated kiosk that requires a person attempting to sell a cellular telephone or wireless communication device to provide a government or state-issued identification card is exempt from the identification requirements of this subsection.

f. A secondhand dealer shall not remove, alter, or obliterate any manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on a cellular telephone or wireless communication device. A secondhand dealer shall not purchase a cellular telephone or wireless communication device where the manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on the device have been removed, altered, or obliterated.

g. (1) The records required pursuant to this section shall be maintained by a secondhand dealer for a period of one year after the purchase of a cellular telephone or wireless communication device by a secondhand dealer and shall, at all times during the secondhand dealer's business hours, be open to inspection by a member of a State, county, or municipal law enforcement agency.

(2) A secondhand dealer shall make available any records requested for inspection by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety.

(3) A secondhand dealer shall not sell or share information or data regarding a person who sells a cellular telephone or wireless communication device to the dealer without that person's written consent and shall securely maintain the information or data pursuant to rules or regulations as may be established by the director.

h. Any person who violates the provisions of this section shall be liable to a civil penalty of not more than \$250 for a first offense, not more than \$500 for a second offense, and not more than \$1,000 for a third or subsequent offense which may be imposed by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety and shall be collected in a summary proceeding before a court of competent jurisdiction pursuant to the provisions of the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). Each transaction in violation of this section shall constitute a separate offense.

A violation of this section shall not be considered an unlawful practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

2. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), may promulgate rules and regulations to effectuate the provisions of this act.

3. This act shall take effect immediately.

Approved October 20, 2025.

SENATE, No. 3132

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED APRIL 15, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39 (C.56:8-
3 1 et seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand
12 property. This term shall not include providers of commercial
13 mobile service, as defined in 47 U.S.C. s.332(d), and the provider’s
14 authorized agents and retailers that have contractual relationships
15 with the provider to sell the provider’s authorized products and
16 services.

17 “Secondhand property” means any previously owned cellular
18 telephone or wireless communication device.

19 “Wireless communication device” means any device through
20 which personal wireless services, as defined in 47 U.S.C.
21 s.332(c)(7)(C)(i), are transmitted.

22 b. (1) At the time of each transaction, a secondhand dealer
23 shall document the description of each cellular telephone or
24 wireless communication device and shall include the Mobile
25 Equipment Identifier, International Mobile Station Equipment
26 Identity, or Electronic Serial Number of the wireless
27 communication device.

28 (2) The record maintained pursuant to this subsection also shall
29 include a receipt with the purchase amount and a statement that the
30 person selling the cellular telephone or wireless communication
31 device is of lawful age; that the driver’s license number or other
32 government-issued identification number and all other identifying
33 information provided by the seller are true and correct; and that the
34 person selling the cellular telephone or wireless communication
35 device is the lawful owner of the cellular telephone or wireless
36 communication device with absolute authority to sell the cellular
37 telephone or wireless communication device.

38 c. It shall be unlawful for any person who sells a cellular
39 telephone or wireless communication device to a secondhand dealer
40 to submit false or fraudulent information to a secondhand dealer on
41 any receipt required under this section.

42 d. A secondhand dealer shall not sell a cellular telephone or
43 wireless communication device that was knowingly acquired
44 through false or fraudulent information.

45 e. Prior to purchase, every secondhand dealer shall require two
46 forms of identification to be shown by each person attempting to
47 sell any cellular telephone or wireless communication device. At
48 least one of the two forms of identification shall be photographic

1 identification issued by a federal, state, or local governmental
2 entity. Forms of identification may include, but are not limited to, a
3 state driver's license, a state identification card, a passport, a
4 military identification card, a credit card, or a utility bill.

5 If the seller does not have photographic identification issued by a
6 federal, state, or local governmental entity, the secondhand dealer
7 shall photograph the seller. The photograph shall be in color and on
8 the reverse side of the photograph, the secondhand dealer shall
9 record the seller's name, residence address, date of birth, gender,
10 height, and weight.

11 f. A secondhand dealer shall not remove, alter, or obliterate
12 any manufacturer's make, model, or serial number; personal
13 identification number; or identifying marks engraved or etched on a
14 cellular telephone or wireless communication device. A
15 secondhand dealer shall not purchase a cellular telephone or
16 wireless communication device where the manufacturer's make,
17 model, or serial number; personal identification number; or
18 identifying marks engraved or etched on the device have been
19 removed, altered or obliterated.

20 g. The records required pursuant to this section shall, at all
21 times during the secondhand dealer's business hours, be open to
22 inspection by a member of a State, county, or municipal law
23 enforcement agency.

24 h. Any person who violates the provisions of this section shall
25 be liable to a civil penalty of \$250 for a first offense, \$500 for a
26 second offense, and \$1,000 for a third or subsequent offense, which
27 shall be collected by the Director of the Division of Consumer
28 Affairs in the Department of Law and Public Safety in a summary
29 proceeding before a court of competent jurisdiction pursuant to the
30 provisions of the "Penalty Enforcement Law of 1999," P.L.1999,
31 c.274 (C.2A:58-10 et seq.). Each transaction in violation of this
32 section shall constitute a separate offense.

33 A violation of this section shall not be considered an unlawful
34 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).
35

36 2. This act shall take effect immediately.
37
38

39 STATEMENT 40

41 This bill imposes certain requirements on secondhand dealers of
42 cellular telephones and wireless communication devices.

43 Under the bill, at the time of each transaction, each secondhand
44 dealer is required to document the description of each cellular
45 telephone or wireless communication device and is to include the
46 Mobile Equipment Identifier, International Mobile Station
47 Equipment Identity, or Electronic Serial Number of the wireless
48 communication device.

1 The record is also required to include a receipt with the purchase
2 amount and a statement that the person selling the cellular
3 telephone or wireless communication device is of lawful age; that
4 the driver's license number or other government-issued
5 identification number and all other identifying information provided
6 by the seller are true and correct; and that the person selling the
7 cellular telephone or wireless communication device is the lawful
8 owner of the cellular telephone or wireless communication device
9 with absolute authority to sell the cellular telephone or wireless
10 communication device.

11 Under the bill, it is unlawful for any person who sells a cellular
12 telephone or wireless communication device to a secondhand dealer
13 to submit false or fraudulent information to a secondhand dealer on
14 any receipt required under the bill. The bill also prohibits
15 secondhand dealers from selling a cellular telephone or wireless
16 communication device that was knowingly acquired through false
17 or fraudulent information.

18 In addition, the bill provides that prior to purchase, every
19 secondhand dealer is to require two forms of identification to be
20 shown by each person attempting to sell any cellular telephone or
21 wireless communication device. At least one of the two forms of
22 identification is required to be photographic identification issued by
23 a federal, state, or local governmental entity.

24 If the seller does not have photographic identification issued by a
25 federal, state, or local governmental entity, the secondhand dealer is
26 required to photograph the seller. The photograph is required to be
27 in color and on the reverse side of the photograph, the secondhand
28 dealer is to record the seller's name, residence address, date of
29 birth, gender, height, and weight.

30 The bill also contains provisions prohibiting a secondhand dealer
31 from removing, altering, or obliterating any manufacturer's make,
32 model, or serial number; personal identification number; or
33 identifying marks engraved or etched on a cellular telephone or
34 wireless communication device. In addition, a secondhand dealer is
35 not to purchase a cellular telephone or wireless communication
36 device where a manufacturer's make, model, or serial number;
37 personal identification number; or identifying marks engraved or
38 etched on the device have been removed, altered or obliterated.

39 Finally, the bill provides that violators are liable to a civil
40 penalty of \$250 for a first offense, \$500 for a second offense, and
41 \$1,000 for a third or subsequent offense, which shall be collected
42 by the Director of the Division of Consumer Affairs in the
43 Department of Law and Public Safety in a summary proceeding
44 before a court of competent jurisdiction pursuant to the provisions
45 of the "Penalty Enforcement Law of 1999." Under the bill, each
46 transaction in violation of the bill's provisions constitutes a separate
47 offense. A violation of the bill is not to be considered an unlawful
48 practice under current law.

1 Under the bill, “secondhand dealer” means any person who
2 engages in the business of purchasing, selling, receiving, trading,
3 consignment selling, or otherwise transferring for value any
4 secondhand property. This term does not include providers of
5 commercial mobile service, as defined under federal law, and the
6 provider’s authorized agents and retailers that have contractual
7 relationships with the provider to sell the provider’s authorized
8 products and services. “Secondhand property” is defined as any
9 previously owned cellular telephone or wireless communication
10 device.

[First Reprint]

SENATE, No. 3132

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED APRIL 15, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee on October 10, 2024, with amendments.



1 AN ACT concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39 (C.56:8-
3 1 et seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand property.
12 This term shall not include providers of commercial mobile service, as
13 defined in 47 U.S.C. s.332(d), and the provider’s authorized agents
14 and retailers that have contractual relationships with the provider to
15 sell the provider’s authorized products and services. ¹This term
16 includes an automated kiosk that purchases secondhand property.¹

17 “Secondhand property” means any previously owned cellular
18 telephone or wireless communication device.

19 “Wireless communication device” means any device through
20 which personal wireless services, as defined in 47 U.S.C.
21 s.332(c)(7)(C)(i), are transmitted.

22 b. (1) At the time of each transaction, a secondhand dealer shall
23 document the description of each cellular telephone or wireless
24 communication device and shall include ¹a device identifier, to mean¹
25 the Mobile Equipment Identifier, International Mobile Station
26 Equipment Identity, or Electronic Serial Number of the wireless
27 communication device. ¹If the device identifiers are not available at
28 the time of the transaction, the secondhand dealer shall update the
29 description of the device with a device identifier as soon as
30 commercially practicable.¹

31 (2) The record maintained pursuant to this subsection also shall
32 include a receipt with the purchase amount and a statement that the
33 person selling the cellular telephone or wireless communication device
34 is of lawful age; that the driver’s license number or other government-
35 issued identification number and all other identifying information
36 provided by the seller are true and correct; and that the person selling
37 the cellular telephone or wireless communication device is the lawful
38 owner of the cellular telephone or wireless communication device with
39 absolute authority to sell the cellular telephone or wireless
40 communication device.

41 c. It shall be unlawful for any person who sells a cellular
42 telephone or wireless communication device to a secondhand dealer to
43 submit false or fraudulent information to a secondhand dealer on any
44 receipt required under this section.

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:

¹Senate SCM committee amendments adopted October 10, 2024.

1 d. A secondhand dealer shall not sell a cellular telephone or
2 wireless communication device that was knowingly acquired through
3 false or fraudulent information.

4 e. Prior to purchase, every secondhand dealer shall require two
5 forms of identification to be shown by each person attempting to sell
6 any cellular telephone or wireless communication device. At least
7 one of the two forms of identification shall be photographic
8 identification issued by a federal, state, or local governmental entity.
9 Forms of identification may include, but are not limited to, a state
10 driver's license, a state identification card, a passport, a military
11 identification card, a credit card, or a utility bill.

12 If the seller does not have photographic identification issued by a
13 federal, state, or local governmental entity, the secondhand dealer
14 shall ¹;

15 (1)¹ photograph the seller ¹["]. The photograph shall be ¹ in color ¹;

16 (2) ensure the photograph clearly shows the face of the seller
17 sufficient to identify the person;¹ and

18 ¹(3)¹ on the ¹["reverse side of"] documentation accompanying¹ the
19 photograph, ¹["the secondhand dealer shall"]¹ record the seller's name,
20 residence address, date of birth, gender, height, and weight.

21 ¹A photograph that meets the requirements of paragraphs (1)
22 through (3) of this subsection shall be deemed a form of photographic
23 identification for the purposes of this subsection.

24 An automated kiosk that requires a person attempting to sell a
25 cellular telephone or wireless communication device to provide a
26 government or state-issued identification card is exempt from the
27 identification requirements of this subsection.¹

28 f. A secondhand dealer shall not remove, alter, or obliterate any
29 manufacturer's make, model, or serial number; personal identification
30 number; or identifying marks engraved or etched on a cellular
31 telephone or wireless communication device. A secondhand dealer
32 shall not purchase a cellular telephone or wireless communication
33 device where the manufacturer's make, model, or serial number;
34 personal identification number; or identifying marks engraved or
35 etched on the device have been removed, altered or obliterated.

36 g. The records required pursuant to this section shall, at all times
37 during the secondhand dealer's business hours, be open to inspection
38 by a member of a State, county, or municipal law enforcement agency.

39 h. Any person who violates the provisions of this section shall be
40 liable to a civil penalty of \$250 for a first offense, \$500 for a second
41 offense, and \$1,000 for a third or subsequent offense, which shall be
42 collected by the Director of the Division of Consumer Affairs in the
43 Department of Law and Public Safety in a summary proceeding before
44 a court of competent jurisdiction pursuant to the provisions of the
45 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et
46 seq.). Each transaction in violation of this section shall constitute a
47 separate offense.

S3132 [1R] RUIZ

4

1 A violation of this section shall not be considered an unlawful
2 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

3

4 2. This act shall take effect immediately.

[Second Reprint]

SENATE, No. 3132

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED APRIL 15, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As amended by the Senate on October 28, 2024.



1 AN ACT concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39 (C.56:8-
3 1 et seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand
12 property. This term shall not include providers of commercial
13 mobile service, as defined in 47 U.S.C. s.332(d), and the provider’s
14 authorized agents and retailers that have contractual relationships
15 with the provider to sell the provider’s authorized products and
16 services. ¹This term includes an automated kiosk that purchases
17 secondhand property.¹

18 “Secondhand property” means any previously owned cellular
19 telephone or wireless communication device.

20 “Wireless communication device” means any device through
21 which personal wireless services, as defined in 47 U.S.C.
22 s.332(c)(7)(C)(i), are transmitted.

23 b. (1) At the time of each transaction, a secondhand dealer
24 shall document the description of each cellular telephone or
25 wireless communication device and shall include ¹a device
26 identifier, to mean¹ the Mobile Equipment Identifier, International
27 Mobile Station Equipment Identity, or Electronic Serial Number of
28 the wireless communication device. ¹If the device identifiers are
29 not available at the time of the transaction, the secondhand dealer
30 shall update the description of the device with a device identifier as
31 soon as commercially practicable.¹

32 (2) The record maintained pursuant to this subsection also shall
33 include a receipt with the purchase amount and a statement that the
34 person selling the cellular telephone or wireless communication
35 device is of lawful age; that the driver’s license number or other
36 government-issued identification number and all other identifying
37 information provided by the seller are true and correct; and that the
38 person selling the cellular telephone or wireless communication
39 device is the lawful owner of the cellular telephone or wireless
40 communication device with absolute authority to sell the cellular
41 telephone or wireless communication device.

42 c. It shall be unlawful for any person who sells a cellular
43 telephone or wireless communication device to a secondhand dealer

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:

¹Senate SCM committee amendments adopted October 10, 2024.

²Senate floor amendments adopted October 28, 2024.

1 to submit false or fraudulent information to a secondhand dealer on
2 any receipt required under this section.

3 d. A secondhand dealer shall not sell a cellular telephone or
4 wireless communication device that was knowingly acquired
5 through false or fraudulent information.

6 e. Prior to purchase, every secondhand dealer shall require two
7 forms of identification to be shown by each person attempting to
8 sell any cellular telephone or wireless communication device. At
9 least one of the two forms of identification shall be photographic
10 identification issued by a federal, state, or local governmental
11 entity. Forms of identification may include, but are not limited to, a
12 state driver's license, a state identification card, a passport, a
13 military identification card, a credit card, or a utility bill.

14 If the seller does not have photographic identification issued by a
15 federal, state, or local governmental entity, the secondhand dealer
16 shall ¹;

17 (1)¹ photograph the seller ¹【. The photograph shall be ¹ in color
18 ¹;

19 (2) ensure the photograph clearly shows the face of the seller
20 sufficient to identify the person;¹ and

21 ¹(3)¹ on the ¹【reverse side of】 documentation accompanying¹
22 the photograph, ¹【the secondhand dealer shall ¹ record the seller's
23 name, residence address, date of birth, gender, height, and weight.

24 ¹A photograph that meets the requirements of paragraphs (1)
25 through (3) of this subsection shall be deemed a form of
26 photographic identification for the purposes of this subsection.

27 An automated kiosk that requires a person attempting to sell a
28 cellular telephone or wireless communication device to provide a
29 government or state-issued identification card is exempt from the
30 identification requirements of this subsection.¹

31 f. A secondhand dealer shall not remove, alter, or obliterate
32 any manufacturer's make, model, or serial number; personal
33 identification number; or identifying marks engraved or etched on a
34 cellular telephone or wireless communication device. A
35 secondhand dealer shall not purchase a cellular telephone or
36 wireless communication device where the manufacturer's make,
37 model, or serial number; personal identification number; or
38 identifying marks engraved or etched on the device have been
39 removed, altered or obliterated.

40 g. The records required pursuant to this section shall ²be
41 maintained by a secondhand dealer for a period of one year after the
42 purchase of a cellular telephone or wireless communication device
43 by a secondhand dealer, and shall², at all times during the
44 secondhand dealer's business hours, be open to inspection by a
45 member of a State, county, or municipal law enforcement agency.

46 h. Any person who violates the provisions of this section shall
47 be liable to a civil penalty of \$250 for a first offense, \$500 for a

1 second offense, and \$1,000 for a third or subsequent offense, which
2 shall be collected by the Director of the Division of Consumer
3 Affairs in the Department of Law and Public Safety in a summary
4 proceeding before a court of competent jurisdiction pursuant to the
5 provisions of the “Penalty Enforcement Law of 1999,” P.L.1999,
6 c.274 (C.2A:58-10 et seq.). Each transaction in violation of this
7 section shall constitute a separate offense.

8 A violation of this section shall not be considered an unlawful
9 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

10

11 2. This act shall take effect immediately.

[Third Reprint]

SENATE, No. 3132

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED APRIL 15, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As amended by the Senate on December 19, 2024.



1 AN ACT concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39
3 (C.56:8-1 et seq.).
4

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

8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand property.
12 This term shall not include providers of commercial mobile service, as
13 defined in 47 U.S.C. s.332(d), ³**[and]**³ the provider’s authorized
14 agents and retailers that have contractual relationships with the
15 provider to sell the provider’s authorized products and services ³, an
16 entity licensed to provide portable electronics insurance, as defined in
17 section 1 of P.L.2012, c.56 (C.17:22A-49), or an affiliate of an entity
18 licensed to provide portable electronics insurance³. ¹This term
19 includes an automated kiosk that purchases secondhand property.¹

20 “Secondhand property” means any previously owned cellular
21 telephone or wireless communication device.

22 “Wireless communication device” means any device through
23 which personal wireless services, as defined in 47 U.S.C.
24 s.332(c)(7)(C)(i), are transmitted.

25 b. (1) At the time of each transaction, a secondhand dealer shall
26 document the description of each cellular telephone or wireless
27 communication device and shall include ¹a device identifier, to mean¹
28 the Mobile Equipment Identifier, International Mobile Station
29 Equipment Identity, or Electronic Serial Number of the wireless
30 communication device. ¹If the device identifiers are not available at
31 the time of the transaction, the secondhand dealer shall update the
32 description of the device with a device identifier as soon as
33 commercially practicable.¹

34 (2) The record maintained pursuant to this subsection also shall
35 include a receipt with the purchase amount and a statement that the
36 person selling the cellular telephone or wireless communication device
37 is of lawful age; that the driver’s license number or other government-
38 issued identification number and all other identifying information
39 provided by the seller are true and correct; and that the person selling
40 the cellular telephone or wireless communication device is the lawful
41 owner of the cellular telephone or wireless communication device with
42 absolute authority to sell the cellular telephone or wireless
43 communication device.

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:

¹Senate SCM committee amendments adopted October 10, 2024.

²Senate floor amendments adopted October 28, 2024.

³Senate floor amendments adopted December 19, 2024.

1 c. It shall be unlawful for any person who sells a cellular
2 telephone or wireless communication device to a secondhand dealer to
3 submit false or fraudulent information to a secondhand dealer on any
4 receipt required under this section.

5 d. A secondhand dealer shall not sell a cellular telephone or
6 wireless communication device that was knowingly acquired through
7 false or fraudulent information.

8 e. Prior to purchase, every secondhand dealer shall require two
9 forms of identification to be shown by each person attempting to sell
10 any cellular telephone or wireless communication device. At least
11 one of the two forms of identification shall be photographic
12 identification issued by a federal, state, or local governmental entity.
13 Forms of identification may include, but are not limited to, a state
14 driver's license, a state identification card, a passport, a military
15 identification card, a credit card, or a utility bill.

16 If the seller does not have photographic identification issued by a
17 federal, state, or local governmental entity, the secondhand dealer
18 shall ¹;

19 (1)¹ photograph the seller ¹['. The photograph shall be ¹in color ¹;

20 (2) ensure the photograph clearly shows the face of the seller
21 sufficient to identify the person;¹ and

22 ¹(3)¹ on the ¹['reverse side of'] documentation accompanying¹ the
23 photograph, ¹['the secondhand dealer shall']¹ record the seller's name,
24 residence address, date of birth, gender, height, and weight.

25 ¹A photograph that meets the requirements of paragraphs (1)
26 through (3) of this subsection shall be deemed a form of photographic
27 identification for the purposes of this subsection.

28 An automated kiosk that requires a person attempting to sell a
29 cellular telephone or wireless communication device to provide a
30 government or state-issued identification card is exempt from the
31 identification requirements of this subsection.¹

32 f. A secondhand dealer shall not remove, alter, or obliterate any
33 manufacturer's make, model, or serial number; personal identification
34 number; or identifying marks engraved or etched on a cellular
35 telephone or wireless communication device. A secondhand dealer
36 shall not purchase a cellular telephone or wireless communication
37 device where the manufacturer's make, model, or serial number;
38 personal identification number; or identifying marks engraved or
39 etched on the device have been removed, altered or obliterated.

40 g. The records required pursuant to this section shall ²be
41 maintained by a secondhand dealer for a period of one year after the
42 purchase of a cellular telephone or wireless communication device by
43 a secondhand dealer, and shall², at all times during the secondhand
44 dealer's business hours, be open to inspection by a member of a State,
45 county, or municipal law enforcement agency.

46 h. Any person who violates the provisions of this section shall be
47 liable to a civil penalty of \$250 for a first offense, \$500 for a second

1 offense, and \$1,000 for a third or subsequent offense, which shall be
2 collected by the Director of the Division of Consumer Affairs in the
3 Department of Law and Public Safety in a summary proceeding before
4 a court of competent jurisdiction pursuant to the provisions of the
5 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et
6 seq.). Each transaction in violation of this section shall constitute a
7 separate offense.

8 A violation of this section shall not be considered an unlawful
9 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

10

11 2. This act shall take effect immediately.

[Fourth Reprint]

SENATE, No. 3132

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED APRIL 15, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman REGINALD W. ATKINS

District 20 (Union)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Co-Sponsored by:

Assemblywomen Hall, McCoy, Drulis and Assemblyman Freiman

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As amended by the General Assembly on May 22, 2025.



(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT concerning secondhand cellular telephones and wireless
 2 communication devices and supplementing P.L.1960, c.39
 3 (C.56:8-1 et seq.).

4
 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 6 *of New Jersey:*

7
 8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
 10 business of purchasing, selling, receiving, trading, consignment
 11 selling, or otherwise transferring for value any secondhand
 12 property. This term shall not include providers of commercial
 13 mobile service, as defined in 47 U.S.C. s.332(d), ³**[and]**³ the
 14 provider’s authorized agents and retailers that have contractual
 15 relationships with the provider to sell the provider’s authorized
 16 products and services ³, an entity licensed to provide portable
 17 electronics insurance, as defined in section 1 of P.L.2012, c.56
 18 (C.17:22A-49), or an affiliate of an entity licensed to provide
 19 portable electronics insurance³. ¹This term includes an automated
 20 kiosk that purchases secondhand property.¹

21 “Secondhand property” means any previously owned cellular
 22 telephone or wireless communication device.

23 “Wireless communication device” means any device through
 24 which personal wireless services, as defined in 47 U.S.C.
 25 s.332(c)(7)(C)(i), are transmitted.

26 b. (1) At the time of each transaction, a secondhand dealer
 27 shall document the description of each cellular telephone or
 28 wireless communication device and shall include ¹a device
 29 identifier, to mean¹ the Mobile Equipment Identifier, International
 30 Mobile Station Equipment Identity, or Electronic Serial Number of
 31 the wireless communication device. ¹If the device identifiers are not
 32 available at the time of the transaction, the secondhand dealer shall
 33 update the description of the device with a device identifier as soon
 34 as commercially practicable.¹

35 (2) The record maintained pursuant to this subsection also shall
 36 include a receipt with the purchase amount and a statement that the
 37 person selling the cellular telephone or wireless communication
 38 device is of lawful age; that the driver’s license number or other
 39 government-issued identification number and all other identifying
 40 information provided by the seller are true and correct; and that the
 41 person selling the cellular telephone or wireless communication
 42 device is the lawful owner of the cellular telephone or wireless

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:

¹Senate SCM committee amendments adopted October 10, 2024.

²Senate floor amendments adopted October 28, 2024.

³Senate floor amendments adopted December 19, 2024.

⁴Assembly floor amendments adopted May 22, 2025.

1 communication device with absolute authority to sell the cellular
2 telephone or wireless communication device.

3 c. It shall be unlawful for any person who sells a cellular
4 telephone or wireless communication device to a secondhand dealer
5 to submit false or fraudulent information to a secondhand dealer on
6 any receipt required under this section.

7 d. A secondhand dealer shall not sell a cellular telephone or
8 wireless communication device that was knowingly acquired
9 through false or fraudulent information.

10 e. Prior to purchase, every secondhand dealer shall require two
11 forms of identification to be shown by each person attempting to
12 sell any cellular telephone or wireless communication device. At
13 least one of the two forms of identification shall be photographic
14 identification issued by a federal, state, or local governmental
15 entity. Forms of identification may include, but are not limited to, a
16 state driver's license, a state identification card, a passport, a
17 military identification card, a credit card, or a utility bill.

18 If the seller does not have photographic identification issued by a
19 federal, state, or local governmental entity, the secondhand dealer
20 shall ¹;

21 (1)¹ photograph the seller ¹['. The photograph shall be ¹ in color
22 ¹;

23 (2) ensure the photograph clearly shows the face of the seller
24 sufficient to identify the person;¹ and

25 ¹(3)¹ on the ¹['reverse side of'] documentation accompanying¹ the
26 photograph, ¹['the secondhand dealer shall']¹ record the seller's
27 name, residence address, date of birth, gender, height, and weight.

28 ¹A photograph that meets the requirements of paragraphs (1)
29 through (3) of this subsection shall be deemed a form of
30 photographic identification for the purposes of this subsection.

31 An automated kiosk that requires a person attempting to sell a
32 cellular telephone or wireless communication device to provide a
33 government or state-issued identification card is exempt from the
34 identification requirements of this subsection.¹

35 f. A secondhand dealer shall not remove, alter, or obliterate
36 any manufacturer's make, model, or serial number; personal
37 identification number; or identifying marks engraved or etched on a
38 cellular telephone or wireless communication device. A
39 secondhand dealer shall not purchase a cellular telephone or
40 wireless communication device where the manufacturer's make,
41 model, or serial number; personal identification number; or
42 identifying marks engraved or etched on the device have been
43 removed, altered or obliterated.

44 g. ⁴(1)⁴ The records required pursuant to this section shall ²be
45 maintained by a secondhand dealer for a period of one year after the
46 purchase of a cellular telephone or wireless communication device
47 by a secondhand dealer, and shall², at all times during the

1 secondhand dealer's business hours, be open to inspection by a
2 member of a State, county, or municipal law enforcement agency.

3 ⁴(2) A secondhand dealer shall make available any records
4 requested for inspection by the Director of the Division of
5 Consumer Affairs in the Department of Law and Public Safety.

6 (3) A secondhand dealer shall not sell or share information or
7 data regarding a person who sells a cellular telephone or wireless
8 communication device to the dealer without that person's written
9 consent, and shall securely maintain the information or data
10 pursuant to rules or regulations as may be established by the
11 director.⁴

12 h. Any person who violates the provisions of this section shall
13 be liable to a civil penalty of ⁴not more than⁴ \$250 for a first
14 offense, ⁴not more than⁴ \$500 for a second offense, and ⁴not more
15 than⁴ \$1,000 for a third or subsequent offense which ⁴[shall be
16 collected] may be imposed⁴ by the Director of the Division of
17 Consumer Affairs in the Department of Law and Public Safety ⁴and
18 shall be collected⁴ in a summary proceeding before a court of
19 competent jurisdiction pursuant to the provisions of the "Penalty
20 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
21 Each transaction in violation of this section shall constitute a
22 separate offense.

23 A violation of this section shall not be considered an unlawful
24 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).
25

26 ⁴2. The Director of the Division of Consumer Affairs in the
27 Department of Law and Public Safety, pursuant to the
28 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
29 seq.), may promulgate rules and regulations to effectuate the
30 provisions of this act.⁴

31
32 ⁴[2.] ⁴3. ⁴ This act shall take effect immediately.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

[Third Reprint]

SENATE, No. 3132

STATE OF NEW JERSEY

DATED: MAY 15, 2025

The Assembly Consumer Affairs Committee reports favorably Senate Bill No. 3132 (3R).

This bill imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

Under the bill, at the time of each transaction, each secondhand dealer is required to document the description of each cellular telephone or wireless communication device and is to include a device identifier, to mean the Mobile Equipment Identifier, International Mobile Station Equipment Identity, or Electronic Serial Number of the wireless communication device. If the device identifiers are not available at the time of the transaction, the secondhand dealer shall update the description of the device with a device identifier as soon as commercially practicable.

The record is also required to include a receipt with the purchase amount and a statement that the person selling the cellular telephone or wireless communication device is of lawful age; that the driver's license number or other government-issued identification number and all other identifying information provided by the seller are true and correct; and that the person selling the cellular telephone or wireless communication device is the lawful owner of the cellular telephone or wireless communication device with absolute authority to sell the cellular telephone or wireless communication device.

Under the bill, it is unlawful for any person who sells a cellular telephone or wireless communication device to a secondhand dealer to submit false or fraudulent information to a secondhand dealer on any receipt required under the bill. The bill also prohibits secondhand dealers from selling a cellular telephone or wireless communication device that was knowingly acquired through false or fraudulent information.

In addition, the bill provides that prior to purchase, every secondhand dealer is to require two forms of identification to be shown by each person attempting to sell any cellular telephone or wireless communication device. At least one of the two forms of identification is required to be photographic identification issued by a federal, state, or local governmental entity.

If the seller does not have photographic identification issued by a federal, state, or local governmental entity, the secondhand dealer is required to photograph the seller. The photograph is required to be in color and clearly show the face of the seller sufficient to identify the person. On the documentation accompanying the photograph, the secondhand dealer is to record the seller's name, residence address, date of birth, gender, height, and weight. The photograph and accompanying documentation is considered a form of photographic identification for the purposes of the bill. The bill requires a secondhand dealer that purchases a cellular telephone or wireless communication device to maintain a record of the purchase as prescribed by the bill for one year.

The bill also contains provisions prohibiting a secondhand dealer from removing, altering, or obliterating any manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on a cellular telephone or wireless communication device. In addition, a secondhand dealer is not to purchase a cellular telephone or wireless communication device where a manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on the device have been removed, altered or obliterated.

Finally, the bill provides that violators are liable to a civil penalty of \$250 for a first offense, \$500 for a second offense, and \$1,000 for a third or subsequent offense, which shall be collected by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety in a summary proceeding before a court of competent jurisdiction pursuant to the provisions of the "Penalty Enforcement Law of 1999." Under the bill, each transaction in violation of the bill's provisions constitutes a separate offense. A violation of the bill is not to be considered an unlawful practice under current law.

Under the bill, "secondhand dealer" means any person who engages in the business of purchasing, selling, receiving, trading, consignment selling, or otherwise transferring for value any secondhand property. This term does not include providers of commercial mobile service, as defined under federal law, and the provider's authorized agents and retailers that have contractual relationships with the provider to sell the provider's authorized products and services. "Secondhand property" is defined as any previously owned cellular telephone or wireless communication device. The bill excludes an entity licensed to provide portable electronics insurance or an affiliate of such an entity from the definition of "secondhand dealer," thereby exempting those entities from the requirements of the bill.

As reported by the committee, Senate Bill No. 3132 (3R) is identical to Assembly Bill No. A4334, which was amended and reported by the committee on this date.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 3132

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 10, 2024

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 3132.

As amended, this bill imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

Under the bill, at the time of each transaction, each secondhand dealer is required to document the description of each cellular telephone or wireless communication device and is to include a device identifier, to mean the Mobile Equipment Identifier, International Mobile Station Equipment Identity, or Electronic Serial Number of the wireless communication device. If the device identifiers are not available at the time of the transaction, the secondhand dealer shall update the description of the device with a device identifier as soon as commercially practicable.

The record is also required to include a receipt with the purchase amount and a statement that the person selling the cellular telephone or wireless communication device is of lawful age; that the driver's license number or other government-issued identification number and all other identifying information provided by the seller are true and correct; and that the person selling the cellular telephone or wireless communication device is the lawful owner of the cellular telephone or wireless communication device with absolute authority to sell the cellular telephone or wireless communication device.

Under the bill, it is unlawful for any person who sells a cellular telephone or wireless communication device to a secondhand dealer to submit false or fraudulent information to a secondhand dealer on any receipt required under the bill. The bill also prohibits secondhand dealers from selling a cellular telephone or wireless communication device that was knowingly acquired through false or fraudulent information.

In addition, the bill provides that prior to purchase, every secondhand dealer is to require two forms of identification to be shown by each person attempting to sell any cellular telephone or wireless communication device. At least one of the two forms of identification is required to be photographic identification issued by a federal, state, or local governmental entity.

If the seller does not have photographic identification issued by a federal, state, or local governmental entity, the secondhand dealer is required to photograph the seller. The photograph is required to be in color and clearly show the face of the seller sufficient to identify the person. On the documentation accompanying the photograph, the secondhand dealer is to record the seller's name, residence address, date of birth, gender, height, and weight. The photograph and accompanying documentation is considered a form of photographic identification for the purposes of the bill.

The bill also contains provisions prohibiting a secondhand dealer from removing, altering, or obliterating any manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on a cellular telephone or wireless communication device. In addition, a secondhand dealer is not to purchase a cellular telephone or wireless communication device where a manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on the device have been removed, altered or obliterated.

Finally, the bill provides that violators are liable to a civil penalty of \$250 for a first offense, \$500 for a second offense, and \$1,000 for a third or subsequent offense, which shall be collected by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety in a summary proceeding before a court of competent jurisdiction pursuant to the provisions of the "Penalty Enforcement Law of 1999." Under the bill, each transaction in violation of the bill's provisions constitutes a separate offense. A violation of the bill is not to be considered an unlawful practice under current law.

Under the bill, "secondhand dealer" means any person who engages in the business of purchasing, selling, receiving, trading, consignment selling, or otherwise transferring for value any secondhand property. This term does not include providers of commercial mobile service, as defined under federal law, and the provider's authorized agents and retailers that have contractual relationships with the provider to sell the provider's authorized products and services. "Secondhand property" is defined as any previously owned cellular telephone or wireless communication device.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- (1) include an automated kiosk that purchases secondhand property in the term "secondhand dealer;"
- (2) apply the term "device identifier" to mean Mobile Equipment Identifier, International Mobile Station Equipment Identity, or Electronic Serial Number and to require a secondhand dealer to update the description of a device with a device identifier as soon as

commercially practicable if it is not available at the time of the transaction;

(3) provide that a photograph taken by a secondhand dealer of a seller must clearly show the face of the seller sufficient to identify the person;

(4) require a secondhand dealer to record a seller's identifying information on the documentation accompanying the seller's photograph;

(5) deem a clear photograph taken by the secondhand dealer and the accompanying documentation a form of photographic identification for the purposes of the bill; and

(6) exempt an automated kiosk that requires a person attempting to sell a cellular telephone or wireless communication device to provide a government or state-issued identification card from the identification requirements of the bill.

STATEMENT TO

[First Reprint]

SENATE, No. 3132

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: OCTOBER 28, 2024

This floor amendment requires a secondhand dealer that purchases a cellular telephone or wireless communication device to maintain a record of the purchase as prescribed by the bill for one year.

STATEMENT TO

[Second Reprint]

SENATE, No. 3132

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: DECEMBER 19, 2024

This floor amendment excludes an entity licensed to provide portable electronics insurance or an affiliate of such an entity from the definition of “secondhand dealer,” thereby exempting those entities from the requirements of the bill.

STATEMENT TO
[Third Reprint]
SENATE, No. 3132

with Assembly Floor Amendments
(Proposed by Assemblywoman SPEIGHT)

ADOPTED: MAY 22, 2025

Senate Bill No. 3132 (3R) imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

These Assembly amendments require secondhand dealers to make available certain records for inspection by the Director of Consumer Affairs in the Department of Law and Public Safety.

Additionally, these Assembly amendments prohibit a secondhand dealer from selling or sharing any information or data regarding any person who sells a cellular telephone or wireless communication device to the dealer without that person's written consent, and require the secondhand dealer to securely maintain the information and data, in accordance with any rules or regulations that may be established by the director.

The Assembly amendments also allow the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to promulgate rules and regulations to implement the provisions of the bill.

Finally, these Assembly amendments provide that a person who violates the bill's provisions is subject to a civil penalty that is not more than \$250 for a first offense, not more than \$500 for a second offense, and not more than \$1,000 for a third or subsequent offense, to be collected in a summary proceeding pursuant to the penalty enforcement law.

As introduced, a person who violated the bill's provisions was subject to a civil penalty of \$250 for a first offense, \$500 for a second offense, and \$1,000 for a third or subsequent offense.

These Assembly amendments make this bill identical to Assembly No. 4334 (1R) which also was amended by the Assembly on this date.

ASSEMBLY, No. 4334

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 10, 2024

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman REGINALD W. ATKINS

District 20 (Union)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/10/2024)

1 AN ACT concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39 (C.56:8-
3 1 et seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand
12 property. This term shall not include providers of commercial
13 mobile service, as defined in 47 U.S.C. s.332(d), and the provider’s
14 authorized agents and retailers that have contractual relationships
15 with the provider to sell the provider’s authorized products and
16 services.

17 “Secondhand property” means any previously owned cellular
18 telephone or wireless communication device.

19 “Wireless communication device” means any device through
20 which personal wireless services, as defined in 47 U.S.C.
21 s.332(c)(7)(C)(i), are transmitted.

22 b. (1) At the time of each transaction, a secondhand dealer
23 shall document the description of each cellular telephone or
24 wireless communication device and shall include the Mobile
25 Equipment Identifier, International Mobile Station Equipment
26 Identity, or Electronic Serial Number of the wireless
27 communication device.

28 (2) The record maintained pursuant to this subsection also shall
29 include a receipt with the purchase amount and a statement that the
30 person selling the cellular telephone or wireless communication
31 device is of lawful age; that the driver’s license number or other
32 government-issued identification number and all other identifying
33 information provided by the seller are true and correct; and that the
34 person selling the cellular telephone or wireless communication
35 device is the lawful owner of the cellular telephone or wireless
36 communication device with absolute authority to sell the cellular
37 telephone or wireless communication device.

38 c. It shall be unlawful for any person who sells a cellular
39 telephone or wireless communication device to a secondhand dealer
40 to submit false or fraudulent information to a secondhand dealer on
41 any receipt required under this section.

42 d. A secondhand dealer shall not sell a cellular telephone or
43 wireless communication device that was knowingly acquired
44 through false or fraudulent information.

45 e. Prior to purchase, every secondhand dealer shall require two
46 forms of identification to be shown by each person attempting to
47 sell any cellular telephone or wireless communication device. At
48 least one of the two forms of identification shall be photographic

1 identification issued by a federal, state, or local governmental
2 entity. Forms of identification may include, but are not limited to, a
3 state driver's license, a state identification card, a passport, a
4 military identification card, a credit card, or a utility bill.

5 If the seller does not have photographic identification issued by a
6 federal, state, or local governmental entity, the secondhand dealer
7 shall photograph the seller. The photograph shall be in color and on
8 the reverse side of the photograph, the secondhand dealer shall
9 record the seller's name, residence address, date of birth, gender,
10 height, and weight.

11 f. A secondhand dealer shall not remove, alter, or obliterate
12 any manufacturer's make, model, or serial number; personal
13 identification number; or identifying marks engraved or etched on a
14 cellular telephone or wireless communication device. A
15 secondhand dealer shall not purchase a cellular telephone or
16 wireless communication device where the manufacturer's make,
17 model, or serial number; personal identification number; or
18 identifying marks engraved or etched on the device have been
19 removed, altered or obliterated.

20 g. The records required pursuant to this section shall, at all
21 times during the secondhand dealer's business hours, be open to
22 inspection by a member of a State, county, or municipal law
23 enforcement agency.

24 h. Any person who violates the provisions of this section shall
25 be liable to a civil penalty of \$250 for a first offense, \$500 for a
26 second offense, and \$1,000 for a third or subsequent offense, which
27 shall be collected by the Director of the Division of Consumer
28 Affairs in the Department of Law and Public Safety in a summary
29 proceeding before a court of competent jurisdiction pursuant to the
30 provisions of the "Penalty Enforcement Law of 1999," P.L.1999,
31 c.274 (C.2A:58-10 et seq.). Each transaction in violation of this
32 section shall constitute a separate offense.

33 A violation of this section shall not be considered an unlawful
34 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

35
36 2. This act shall take effect immediately.
37
38

39 STATEMENT

40
41 This bill imposes certain requirements on secondhand dealers of
42 cellular telephones and wireless communication devices.

43 Under the bill, at the time of each transaction, each secondhand
44 dealer is required to document the description of each cellular
45 telephone or wireless communication device and is to include the
46 Mobile Equipment Identifier, International Mobile Station
47 Equipment Identity, or Electronic Serial Number of the wireless
48 communication device.

1 The record is also required to include a receipt with the purchase
2 amount and a statement that the person selling the cellular
3 telephone or wireless communication device is of lawful age; that
4 the driver's license number or other government-issued
5 identification number and all other identifying information provided
6 by the seller are true and correct; and that the person selling the
7 cellular telephone or wireless communication device is the lawful
8 owner of the cellular telephone or wireless communication device
9 with absolute authority to sell the cellular telephone or wireless
10 communication device.

11 Under the bill, it is unlawful for any person who sells a cellular
12 telephone or wireless communication device to a secondhand dealer
13 to submit false or fraudulent information to a secondhand dealer on
14 any receipt required under the bill. The bill also prohibits
15 secondhand dealers from selling a cellular telephone or wireless
16 communication device that was knowingly acquired through false
17 or fraudulent information.

18 In addition, the bill provides that prior to purchase, every
19 secondhand dealer is to require two forms of identification to be
20 shown by each person attempting to sell any cellular telephone or
21 wireless communication device. At least one of the two forms of
22 identification is required to be photographic identification issued by
23 a federal, state, or local governmental entity.

24 If the seller does not have photographic identification issued by a
25 federal, state, or local governmental entity, the secondhand dealer is
26 required to photograph the seller. The photograph is required to be
27 in color and on the reverse side of the photograph, the secondhand
28 dealer is to record the seller's name, residence address, date of
29 birth, gender, height, and weight.

30 The bill also contains provisions prohibiting a secondhand dealer
31 from removing, altering, or obliterating any manufacturer's make,
32 model, or serial number; personal identification number; or
33 identifying marks engraved or etched on a cellular telephone or
34 wireless communication device. In addition, a secondhand dealer is
35 not to purchase a cellular telephone or wireless communication
36 device where a manufacturer's make, model, or serial number;
37 personal identification number; or identifying marks engraved or
38 etched on the device have been removed, altered or obliterated.

39 Finally, the bill provides that violators are liable to a civil
40 penalty of \$250 for a first offense, \$500 for a second offense, and
41 \$1,000 for a third or subsequent offense, which shall be collected
42 by the Director of the Division of Consumer Affairs in the
43 Department of Law and Public Safety in a summary proceeding
44 before a court of competent jurisdiction pursuant to the provisions
45 of the "Penalty Enforcement Law of 1999." Under the bill, each
46 transaction in violation of the bill's provisions constitutes a separate
47 offense. A violation of the bill is not to be considered an unlawful
48 practice under current law.

1 Under the bill, “secondhand dealer” means any person who
2 engages in the business of purchasing, selling, receiving, trading,
3 consignment selling, or otherwise transferring for value any
4 secondhand property. This term does not include providers of
5 commercial mobile service, as defined under federal law, and the
6 provider’s authorized agents and retailers that have contractual
7 relationships with the provider to sell the provider’s authorized
8 products and services. “Secondhand property” is defined as any
9 previously owned cellular telephone or wireless communication
10 device.

[First Reprint]

ASSEMBLY, No. 4334

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 10, 2024

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman REGINALD W. ATKINS

District 20 (Union)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Co-Sponsored by:

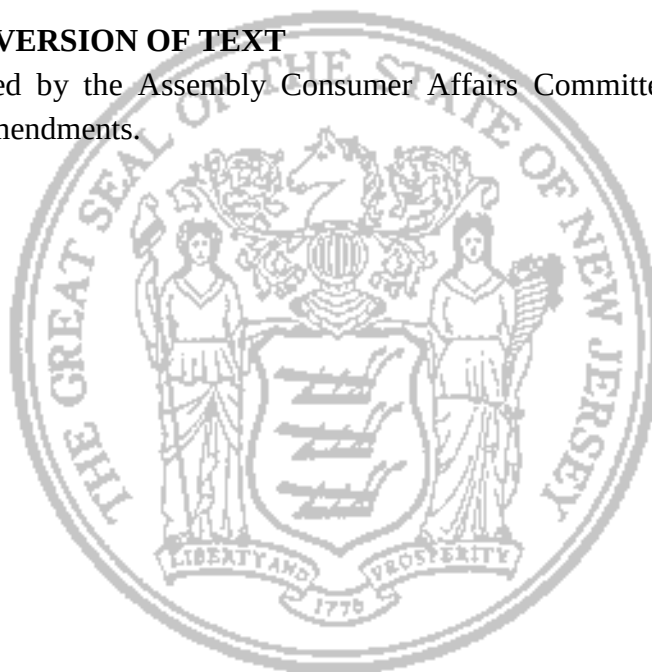
Assemblywoman Hall

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As reported by the Assembly Consumer Affairs Committee on May 15, 2025, with amendments.



(Sponsorship Updated As Of: 5/22/2025)

1 AN ACT concerning secondhand cellular telephones and wireless
 2 communication devices and supplementing P.L.1960, c.39
 3 (C.56:8-1 et seq.).

4
 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 6 *of New Jersey:*

7
 8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
 10 business of purchasing, selling, receiving, trading, consignment
 11 selling, or otherwise transferring for value any secondhand property.
 12 This term shall not include providers of commercial mobile service, as
 13 defined in 47 U.S.C. s.332(d), ¹**[and]**¹ the provider’s authorized
 14 agents and retailers that have contractual relationships with the
 15 provider to sell the provider’s authorized products and services ¹, an
 16 entity licensed to provide portable electronics insurance, as defined in
 17 section 1 of P.L.2012, c.56 (C.17:22A-49), or an affiliate of an entity
 18 licensed to provide portable electronics insurance. This term includes
 19 an automated kiosk that purchases secondhand property¹.

20 “Secondhand property” means any previously owned cellular
 21 telephone or wireless communication device.

22 “Wireless communication device” means any device through
 23 which personal wireless services, as defined in 47 U.S.C.
 24 s.332(c)(7)(C)(i), are transmitted.

25 b. (1) At the time of each transaction, a secondhand dealer shall
 26 document the description of each cellular telephone or wireless
 27 communication device and shall include ¹a device identifier, to mean¹
 28 the Mobile Equipment Identifier, International Mobile Station
 29 Equipment Identity, or Electronic Serial Number of the wireless
 30 communication device. ¹If the device identifiers are not available at
 31 the time of the transaction, the secondhand dealer shall update the
 32 description of the device with a device identifier as soon as
 33 commercially practicable.¹

34 (2) The record maintained pursuant to this subsection also shall
 35 include a receipt with the purchase amount and a statement that the
 36 person selling the cellular telephone or wireless communication device
 37 is of lawful age; that the driver’s license number or other government-
 38 issued identification number and all other identifying information
 39 provided by the seller are true and correct; and that the person selling
 40 the cellular telephone or wireless communication device is the lawful
 41 owner of the cellular telephone or wireless communication device with
 42 absolute authority to sell the cellular telephone or wireless
 43 communication device.

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:

¹Assembly ACO committee amendments adopted May 15, 2025.

1 c. It shall be unlawful for any person who sells a cellular
2 telephone or wireless communication device to a secondhand dealer to
3 submit false or fraudulent information to a secondhand dealer on any
4 receipt required under this section.

5 d. A secondhand dealer shall not sell a cellular telephone or
6 wireless communication device that was knowingly acquired through
7 false or fraudulent information.

8 e. Prior to purchase, every secondhand dealer shall require two
9 forms of identification to be shown by each person attempting to sell
10 any cellular telephone or wireless communication device. At least
11 one of the two forms of identification shall be photographic
12 identification issued by a federal, state, or local governmental entity.
13 Forms of identification may include, but are not limited to, a state
14 driver's license, a state identification card, a passport, a military
15 identification card, a credit card, or a utility bill.

16 If the seller does not have photographic identification issued by a
17 federal, state, or local governmental entity, the secondhand dealer
18 shall ¹;

19 (1)¹ photograph the seller ¹['. The photograph shall be ¹'] in color
20 ¹;

21 (2) ensure the photograph clearly shows the face of the seller
22 sufficient to identify the person;¹ and

23 ¹(3)¹ on the ¹['reverse side of'] documentation accompanying¹ the
24 photograph, ¹['the secondhand dealer shall']¹ record the seller's name,
25 residence address, date of birth, gender, height, and weight.

26 ¹A photograph that meets the requirements of paragraphs (1)
27 through (3) of this subsection shall be deemed a form of photographic
28 identification for the purposes of this subsection.

29 An automated kiosk that requires a person attempting to sell a
30 cellular telephone or wireless communication device to provide a
31 government or state-issued identification card is exempt from the
32 identification requirements of this subsection.¹

33 f. A secondhand dealer shall not remove, alter, or obliterate any
34 manufacturer's make, model, or serial number; personal identification
35 number; or identifying marks engraved or etched on a cellular
36 telephone or wireless communication device. A secondhand dealer
37 shall not purchase a cellular telephone or wireless communication
38 device where the manufacturer's make, model, or serial number;
39 personal identification number; or identifying marks engraved or
40 etched on the device have been removed, altered or obliterated.

41 g. The records required pursuant to this section shall ¹be
42 maintained by a secondhand dealer for a period of one year after the
43 purchase of a cellular telephone or wireless communication device by
44 a secondhand dealer, and shall¹, at all times during the secondhand
45 dealer's business hours, be open to inspection by a member of a State,
46 county, or municipal law enforcement agency.

1 h. Any person who violates the provisions of this section shall be
2 liable to a civil penalty of \$250 for a first offense, \$500 for a second
3 offense, and \$1,000 for a third or subsequent offense, which shall be
4 collected by the Director of the Division of Consumer Affairs in the
5 Department of Law and Public Safety in a summary proceeding before
6 a court of competent jurisdiction pursuant to the provisions of the
7 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et
8 seq.). Each transaction in violation of this section shall constitute a
9 separate offense.

10 A violation of this section shall not be considered an unlawful
11 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

12

13 2. This act shall take effect immediately.

[Second Reprint]

ASSEMBLY, No. 4334

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED MAY 10, 2024

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman REGINALD W. ATKINS

District 20 (Union)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Co-Sponsored by:

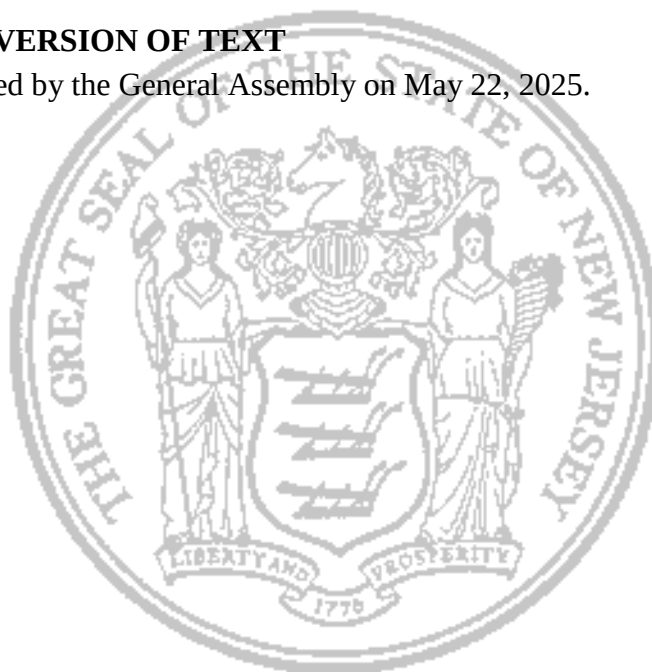
Assemblywomen Hall, McCoy, Drulis and Assemblyman Freiman

SYNOPSIS

Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

CURRENT VERSION OF TEXT

As amended by the General Assembly on May 22, 2025.



(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT concerning secondhand cellular telephones and wireless
2 communication devices and supplementing P.L.1960, c.39
3 (C.56:8-1 et seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. As used in this section:

9 “Secondhand dealer” means any person who engages in the
10 business of purchasing, selling, receiving, trading, consignment
11 selling, or otherwise transferring for value any secondhand
12 property. This term shall not include providers of commercial
13 mobile service, as defined in 47 U.S.C. s.332(d), ¹**[and]**¹ the
14 provider’s authorized agents and retailers that have contractual
15 relationships with the provider to sell the provider’s authorized
16 products and services ¹, an entity licensed to provide portable
17 electronics insurance, as defined in section 1 of P.L.2012, c.56
18 (C.17:22A-49), or an affiliate of an entity licensed to provide
19 portable electronics insurance. This term includes an automated
20 kiosk that purchases secondhand property¹.

21 “Secondhand property” means any previously owned cellular
22 telephone or wireless communication device.

23 “Wireless communication device” means any device through
24 which personal wireless services, as defined in 47 U.S.C.
25 s.332(c)(7)(C)(i), are transmitted.

26 b. (1) At the time of each transaction, a secondhand dealer
27 shall document the description of each cellular telephone or
28 wireless communication device and shall include ¹a device
29 identifier, to mean¹ the Mobile Equipment Identifier, International
30 Mobile Station Equipment Identity, or Electronic Serial Number of
31 the wireless communication device. ¹If the device identifiers are not
32 available at the time of the transaction, the secondhand dealer shall
33 update the description of the device with a device identifier as soon
34 as commercially practicable.¹

35 (2) The record maintained pursuant to this subsection also shall
36 include a receipt with the purchase amount and a statement that the
37 person selling the cellular telephone or wireless communication
38 device is of lawful age; that the driver’s license number or other
39 government-issued identification number and all other identifying
40 information provided by the seller are true and correct; and that the
41 person selling the cellular telephone or wireless communication
42 device is the lawful owner of the cellular telephone or wireless
43 communication device with absolute authority to sell the cellular
44 telephone or wireless communication device.

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:

¹Assembly ACO committee amendments adopted May 15, 2025.

²Assembly floor amendments adopted May 22, 2025.

1 c. It shall be unlawful for any person who sells a cellular
2 telephone or wireless communication device to a secondhand dealer
3 to submit false or fraudulent information to a secondhand dealer on
4 any receipt required under this section.

5 d. A secondhand dealer shall not sell a cellular telephone or
6 wireless communication device that was knowingly acquired
7 through false or fraudulent information.

8 e. Prior to purchase, every secondhand dealer shall require two
9 forms of identification to be shown by each person attempting to
10 sell any cellular telephone or wireless communication device. At
11 least one of the two forms of identification shall be photographic
12 identification issued by a federal, state, or local governmental
13 entity. Forms of identification may include, but are not limited to, a
14 state driver's license, a state identification card, a passport, a
15 military identification card, a credit card, or a utility bill.

16 If the seller does not have photographic identification issued by a
17 federal, state, or local governmental entity, the secondhand dealer
18 shall ¹:

19 (1)¹ photograph the seller ¹【. The photograph shall be ¹ in color
20 ¹;

21 (2) ensure the photograph clearly shows the face of the seller
22 sufficient to identify the person;¹ and

23 ¹(3)¹ on the ¹【reverse side of】 documentation accompanying¹
24 the photograph, ¹【the secondhand dealer shall ¹ record the seller's
25 name, residence address, date of birth, gender, height, and weight.

26 ¹A photograph that meets the requirements of paragraphs (1)
27 through (3) of this subsection shall be deemed a form of
28 photographic identification for the purposes of this subsection.

29 An automated kiosk that requires a person attempting to sell a
30 cellular telephone or wireless communication device to provide a
31 government or state-issued identification card is exempt from the
32 identification requirements of this subsection.¹

33 f. A secondhand dealer shall not remove, alter, or obliterate
34 any manufacturer's make, model, or serial number; personal
35 identification number; or identifying marks engraved or etched on a
36 cellular telephone or wireless communication device. A
37 secondhand dealer shall not purchase a cellular telephone or
38 wireless communication device where the manufacturer's make,
39 model, or serial number; personal identification number; or
40 identifying marks engraved or etched on the device have been
41 removed, altered or obliterated.

42 g. ²(1)² The records required pursuant to this section shall ¹be
43 maintained by a secondhand dealer for a period of one year after the
44 purchase of a cellular telephone or wireless communication device
45 by a secondhand dealer, and shall¹, at all times during the
46 secondhand dealer's business hours, be open to inspection by a
47 member of a State, county, or municipal law enforcement agency.

1 ²(2) A secondhand dealer shall make available any records
2 requested for inspection by the Director of the Division of
3 Consumer Affairs in the Department of Law and Public Safety.

4 (3) A secondhand dealer shall not sell or share information or
5 data regarding a person who sells a cellular telephone or wireless
6 communication device to the dealer without that person's written
7 consent, and shall securely maintain the information or data
8 pursuant to rules or regulations as may be established by the
9 director.²

10 h. Any person who violates the provisions of this section shall
11 be liable to a civil penalty of ²not more than² \$250 for a first
12 offense, ²not more than² \$500 for a second offense, and ²not more
13 than² \$1,000 for a third or subsequent offense which ²【shall be
14 collected】 may be imposed² by the Director of the Division of
15 Consumer Affairs in the Department of Law and Public Safety ²and
16 shall be collected² in a summary proceeding before a court of
17 competent jurisdiction pursuant to the provisions of the "Penalty
18 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
19 Each transaction in violation of this section shall constitute a
20 separate offense.

21 A violation of this section shall not be considered an unlawful
22 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

23
24 ²2. The Director of the Division of Consumer Affairs in the
25 Department of Law and Public Safety, pursuant to the
26 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
27 seq.), may promulgate rules and regulations to effectuate the
28 provisions of this act.²

29
30 ²【2.】 3.² This act shall take effect immediately.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4334

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 15, 2025

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 4334.

As amended, this bill imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

Under the bill, at the time of each transaction, each secondhand dealer is required to document the description of each cellular telephone or wireless communication device and is to include a device identifier, to mean the Mobile Equipment Identifier, International Mobile Station Equipment Identity, or Electronic Serial Number of the wireless communication device. If the device identifiers are not available at the time of the transaction, the secondhand dealer shall update the description of the device with a device identifier as soon as commercially practicable.

The record is also required to include a receipt with the purchase amount and a statement that the person selling the cellular telephone or wireless communication device is of lawful age; that the driver's license number or other government-issued identification number and all other identifying information provided by the seller are true and correct; and that the person selling the cellular telephone or wireless communication device is the lawful owner of the cellular telephone or wireless communication device with absolute authority to sell the cellular telephone or wireless communication device.

Under the bill, it is unlawful for any person who sells a cellular telephone or wireless communication device to a secondhand dealer to submit false or fraudulent information to a secondhand dealer on any receipt required under the bill. The bill also prohibits secondhand dealers from selling a cellular telephone or wireless communication device that was knowingly acquired through false or fraudulent information.

In addition, the bill provides that prior to purchase, every secondhand dealer is to require two forms of identification to be shown by each person attempting to sell any cellular telephone or wireless communication device. At least one of the two forms of identification is required to be photographic identification issued by a federal, state, or local governmental entity.

If the seller does not have photographic identification issued by a federal, state, or local governmental entity, the secondhand dealer is required to photograph the seller. The photograph is required to be in color and clearly show the face of the seller sufficient to identify the person. On the documentation accompanying the photograph, the secondhand dealer is to record the seller's name, residence address, date of birth, gender, height, and weight. The photograph and accompanying documentation is considered a form of photographic identification for the purposes of the bill. The bill requires a secondhand dealer that purchases a cellular telephone or wireless communication device to maintain a record of the purchase as prescribed by the bill for one year.

The bill also contains provisions prohibiting a secondhand dealer from removing, altering, or obliterating any manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on a cellular telephone or wireless communication device. In addition, a secondhand dealer is not to purchase a cellular telephone or wireless communication device where a manufacturer's make, model, or serial number; personal identification number; or identifying marks engraved or etched on the device have been removed, altered or obliterated.

Finally, the bill provides that violators are liable to a civil penalty of \$250 for a first offense, \$500 for a second offense, and \$1,000 for a third or subsequent offense, which shall be collected by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety in a summary proceeding before a court of competent jurisdiction pursuant to the provisions of the "Penalty Enforcement Law of 1999." Under the bill, each transaction in violation of the bill's provisions constitutes a separate offense. A violation of the bill is not to be considered an unlawful practice under current law.

Under the bill, "secondhand dealer" means any person who engages in the business of purchasing, selling, receiving, trading, consignment selling, or otherwise transferring for value any secondhand property. This term does not include providers of commercial mobile service, as defined under federal law, and the provider's authorized agents and retailers that have contractual relationships with the provider to sell the provider's authorized products and services. "Secondhand property" is defined as any previously owned cellular telephone or wireless communication device. The bill excludes an entity licensed to provide portable electronics insurance or an affiliate of such an entity from the definition of "secondhand dealer," thereby exempting those entities from the requirements of the bill.

As amended and reported by the committee, Assembly Bill No. 4334 is identical to Senate Bill No. 3132 (3R), which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) include an automated kiosk that purchases secondhand property in the term “secondhand dealer”;

(2) apply the term “device identifier” to mean Mobile Equipment Identifier, International Mobile Station Equipment Identity, or Electronic Serial Number and to require a secondhand dealer to update the description of a device with a device identifier as soon as commercially practicable if it is not available at the time of the transaction;

(3) provide that a photograph taken by a secondhand dealer of a seller must clearly show the face of the seller sufficient to identify the person;

(4) require a secondhand dealer to record a seller’s identifying information on the documentation accompanying the seller’s photograph;

(5) deem a clear photograph taken by the secondhand dealer and the accompanying documentation a form of photographic identification for the purposes of the bill;

(6) exempt an automated kiosk that requires a person attempting to sell a cellular telephone or wireless communication device to provide a government or state-issued identification card from the identification requirements of the bill;

(7) require a secondhand dealer that purchases a cellular telephone or wireless communication device to maintain a record of the purchase as prescribed by the bill for one year; and

(8) exclude an entity licensed to provide portable electronics insurance or an affiliate of such an entity from the definition of “secondhand dealer,” thereby exempting those entities from the requirements of the bill.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4334

with Assembly Floor Amendments
(Proposed by Assemblywoman SPEIGHT)

ADOPTED: MAY 22, 2025

Assembly Bill No.4334 (1R) imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices.

These Assembly amendments require secondhand dealers to make available certain records for inspection by the Director of Consumer Affairs in the Department of Law and Public Safety.

Additionally, these Assembly amendments prohibit a secondhand dealer from selling or sharing any information or data regarding any person who sells a cellular telephone or wireless communication device to the dealer without that person's written consent, and require the secondhand dealer to securely maintain the information and data, in accordance with any rules or regulations that may be established by the director.

The Assembly amendments also allow the Director of the Division of Consumer Affairs in the Department of Law and Public Safety to promulgate rules and regulations to implement the provisions of the bill.

Finally, these Assembly amendments provide that a person who violates the bill's provisions is subject to a civil penalty that is not more than \$250 for a first offense, not more than \$500 for a second offense, and not more than \$1,000 for a third or subsequent offense, to be collected in a summary proceeding pursuant to the penalty enforcement law.

As introduced, a person who violated the bill's provisions was subject to a civil penalty of \$250 for a first offense, \$500 for a second offense, and \$1,000 for a third or subsequent offense.

These Assembly amendments make this bill identical to Senate Bill No. 3132 (3R), which also was amended by the Assembly on this date.

Governor Phil Murphy

Governor Murphy Takes Action on Legislation

Posted on - 10/20/2025

TRENTON – Today, Governor Murphy signed the following bills into law:**S-317/A-1446** (Diegnan, Amato/Karabinchak, Simonsen) – Revises "Athletic Training Licensure Act"**S-1403/A-4029** (Singleton, Space/Sumter, Sampson, Hall) – Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD**S-2783/A-3696** (McKeon, Gopal/Danielsen) – "Travel Insurance Act"**S-3132/A-4334** (Ruiz/Speight, Atkins, Sampson) – Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices

Governor Murphy conditionally vetoed the following bills:

S-1277/A-3363 (Beach, Ruiz/Miller, Reynolds-Jackson, Sampson) – CONDITIONAL – Establishes centralized directory for affordable housing, and housing for senior citizens and veterans[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/94/64/e2/50/e0397ad31ded8eb98ea18040/S1277CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/94/64/e2/50/e0397ad31ded8eb98ea18040/S1277CV.pdf) [\(https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/ftx36cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKCOy1Zfw\\$\)](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/ftx36cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKCOy1Zfw$)**S-2332/A-3893** (Scutari, Vitale/Murphy, Donlon, Inganamort) – CONDITIONAL – Allows complaint for guardianship of minor to be filed six months before minor reaches age 18 under certain circumstances; establishes certain standards for filing guardianship complaints[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/11/09/92/c9/14f54a3ed5c4244273885875/S2332CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/11/09/92/c9/14f54a3ed5c4244273885875/S2332CV.pdf) [\(https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/bez36cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKE6Ok0-H\\$\)](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/bez36cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKE6Ok0-H$)**S-2961/A-4124** (Burzichelli, Wimberly/Reynolds-Jackson, Katz, Ramirez) – CONDITIONAL – Establishes minimum qualifications for persons employed on public works contract[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/b7/50/75/c6/8b97be1f7b4b6762445edb2f/S2961CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/b7/50/75/c6/8b97be1f7b4b6762445edb2f/S2961CV.pdf) [\(https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/7y036cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKJdJX24S\\$\)](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/7y036cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKJdJX24S$)**S-3041/A-4194** (Mukherji, Lagana/Allen, Venezia, Quijano) – CONDITIONAL – Prohibits cooperative from receiving public works contract when cooperative-approved vendor fails to pay prevailing wage; concerns cooperative purchasing agreements with other states; and permits contracting units to award certain indefinite contracts[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/a9/a0/ea/47/a259e5c9c81cafa4f1d231df/S3041CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/a9/a0/ea/47/a259e5c9c81cafa4f1d231df/S3041CV.pdf) [\(https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/3j236cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKI7MspcS\\$\)](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/3j236cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKI7MspcS$)**S-3663/A-4915** (Burzichelli, Ruiz/Drulis, Katz, Peterpaul, Simmons) – CONDITIONAL – Establishes reproductive health travel advisory[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/20/01/3d/c5/66cd3f8082956acc4c036760/S3663CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/20/01/3d/c5/66cd3f8082956acc4c036760/S3663CV.pdf) [\(https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/z4336cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKOhes-Be\\$\)](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/z4336cb_!!J30X0ZrnC1oQtBA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKG0JeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKOhes-Be$)

S-3776/A-5779 (Turner, McKnight/Reynolds-Jackson, Carter, Morales) – CONDITIONAL – Establishes Chronic Absenteeism Task Force

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S-4293/A-5548 (Ruiz, Burgess/Pintor Marin, Venezia, Karabinchak) – CONDITIONAL – Requires owner or operator of data center to submit water and energy usage report to BPU

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