

ASSEMBLY, No. 42

STATE OF NEW JERSEY

INTRODUCED JANUARY 23, 1933

By Mr. FORT

Referred to Committee on Transportation

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

1 1. Subdivision four of section eleven of the act of which this act is  
2 amendatory is hereby amended to read as follows:

3 4. Commercial motor vehicles, trailers, semitrailers, tractors. The ap-  
4-5 plicant for registration for automobile, commercial vehicles, trailers, semi-  
6 trailers and tractors shall pay to the Commissioner of Motor Vehicles a fee  
7 based upon the gross weight of such vehicle and load, when loaded to its  
8 carrying capacity. When the gross weight of the vehicle and load exceeds  
9 the gross weight allowed by law for the particular size of tires set forth  
10 in the application for registration, then such gross weight of vehicle and  
11 load shall be determined according to law upon the size of tires given in such  
12 application. The plates to be used for the commercial motor vehicles shall  
13 display the word "commercial", and the numerals shall be prefixed by the  
14 letter X; and the trailer plates shall have the letter "T".

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

16 The gross weight of vehicle and carrying capacity is—

17	1,000 pounds or less .....	\$10.00
18	1,001 to 2,000 pounds .....	12.00
19	2,001 to 3,000 pounds .....	15.00
20	3,001 to 4,000 pounds .....	20.00
21	4,001 to 5,000 pounds .....	24.00
22	5,001 to 6,000 pounds .....	27.00
23	6,001 to 7,000 pounds .....	30.00
24	7,001 to 8,000 pounds .....	33.00
25	8,001 to 9,000 pounds .....	36.00
26	9,001 to 10,000 pounds .....	39.00
27	10,001 to 11,000 pounds .....	42.00
28	11,001 to 12,000 pounds .....	45.00
29	12,001 to 13,000 pounds .....	48.00
30	13,001 to 14,000 pounds .....	51.00
31	14,001 to 15,000 pounds .....	54.00
32	15,001 to 16,000 pounds .....	57.00
33	16,001 to 17,000 pounds .....	60.00
34	17,001 to 18,000 pounds .....	63.00
35	18,001 to 19,000 pounds .....	66.00
36	19,001 to 20,000 pounds .....	69.00
37	20,001 to 21,000 pounds .....	72.00
38	21,001 to 22,000 pounds .....	75.00
39	22,001 to 23,000 pounds .....	78.00
40	23,001 to 24,000 pounds .....	81.00
41	24,001 to 25,000 pounds .....	84.00
42	25,001 to 26,000 pounds .....	87.00
43	26,001 to 27,000 pounds .....	90.00
44	27,001 to 28,000 pounds .....	93.00
45	28,001 to 29,000 pounds .....	96.00
46	29,001 to 30,000 pounds .....	99.00

47       *Provided*, that no automobile, commercial vehicle, trailer, semitrailer, or  
48 tractor shall be registered by the Commissioner of Motor Vehicles, unless  
49 the same are equipped with rubber tires on all wheels; *and provided, further*,  
50 that the owner of any commercial motor vehicle, tractor, trailer, or semi-  
51 trailer, whose vehicle shall be found overloaded on a public highway or oper-  
52 ated with a load beyond the gross weight shown in the registration certificate  
53 for said vehicle issued by the Commissioner of Motor Vehicles or by the au-  
54 thorized official or body of any other State, shall be fined not less than one  
55 hundred dollars (\$100.00) nor more than two hundred and fifty dollars  
56 (\$250.00) for the first offense, and for any subsequent offense, not less than  
57 two hundred and fifty dollars (\$250.00) nor more than five hundred dollars  
58 (\$500.00), and said vehicle, but not the contents thereof, may be detained  
59 until the owner submits to the jurisdiction of the court and the fine is paid or  
60 proper bond be posted for an appeal if there be a conviction; and any person  
61 who shall operate an automobile, commercial vehicle, trailer, or semitrailer,  
62 or tractor not equipped on all wheels with rubber tires shall be fined not  
63 less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00)  
64 for the first offense and for any subsequent offense not less than one hun-  
65 dred dollars (\$100.00), nor more than two hundred dollars (\$200.00); *pro-*  
66 *vided, further*, that any tractor equipped with solid rubber tires impaired to  
67 such an extent as to be likely to cause damage to the public highways shall  
68 be fined not less than fifty dollars (\$50.00) nor more than one hundred dol-  
69 lars (\$100.00) for the first offense, and for any subsequent offense not less  
70 than one hundred dollars (\$100.00) nor more than two hundred dollars  
71 (\$200.00); *and provided, further*, that tractors used for agricultural pur-  
72 poses may be operated over the highways of this State without being  
73 equipped with rubber tires under such regulations as shall from time to time  
74 be adopted by the Commissioner of Motor Vehicles.

1       2. This act shall take effect immediately.

## STATEMENT

This bill has been prepared by the Attorney-General and introduced in response to the request of the Commissioner of Motor Vehicles, who desires its passage.

It is presumably illegal for a commercial motor vehicle to carry a gross weight beyond the gross weight shown in its registration certificate; some of our courts, however, have construed the present law to the effect that it is inapplicable to the owner of a vehicle whose certificate of registration has been issued by another State. The anomalous situation is, therefore, presented that a resident of New Jersey is subject to a penalty for carrying a load greater than that called for on his certificate and a nonresident is immune from punishment though he commits the same offense. The purpose of this amendment is to make the law clearly applicable to foreign registered vehicles.

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72 poses may be operated over the highways of this State without being  
73 equipped with rubber tires under such regulations as shall from time to time  
74 be adopted by the Commissioner of Motor Vehicles. No provision con-  
75 tained in this subdivision shall be construed as to supersede or repeal the  
76 provisions of subdivision six of section fourteen and subdivision four of sec-  
77 tion twenty-one of the act to which this act is amendatory.

1       2. This act shall take effect immediately.