

LEGISLATIVE HISTORY CHECKLIST
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(Drivers licenses--
prohibitory list)

NJSA: 39:3-34

LAWS OF: 1945 **CHAPTER:** 222

BILL NO: S253

SPONSOR(S) Sholl

DATE INTRODUCED: March 26, 1945

COMMITTEE: **ASSEMBLY:** Judiciary
SENATE: Judiciary

AMENDED DURING PASSAGE: Yes
Official copy reprint enacted

DATE OF PASSAGE: **ASSEMBLY:** April 9, 1945
SENATE: April 2, 1945

DATE OF APPROVAL: April 24, 1945

OLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

[OFFICIAL COPY REPRINT]

SENATE, No. 253

(Revised Statutes, sections 39:3-34 and 39:3-40.)

STATE OF NEW JERSEY

INTRODUCED MARCH 26, 1945

By Mr. SHOLL

Referred to Committee on Judiciary

AN ACT concerning motor vehicles, and amending sections 39:3-34 and 39:3-40
of the Revised Statutes.

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

1 1. Section 39:3-34 of the Revised Statutes is amended to read as fol-
2 lows:

3 39:3-34. No person whose registration certificate or driver's license has
4 been suspended or revoked, or who has been prohibited from obtaining a
5 driver's license or registration certificate, shall apply to an agent of the
6 commissioner for a registration certificate or license, or a learner's permit,
7 as the case may be, during the period of the suspension, revocation, or
8 prohibition. A person who violates this section shall be subject to a fine of
9 not more than five hundred dollars (\$500.00) or imprisonment for not more
10 than three months, or both, at the discretion of the court.

1 2. Section 39:3-40 of the Revised Statutes is amended to read as fol-
2 lows:

3 39:3-40. No person to whom a driver's license has been refused or whose
4 driver's license or reciprocity privilege has been suspended or revoked, or
5 who has been prohibited from obtaining a driver's license, shall personally
6 operate a motor vehicle during the period of refusal, suspension, revocation
7-8 or prohibition.

9 No person whose motor vehicle registration has been revoked shall oper-
10 ate or permit the operation of such motor vehicle during the period of such
11 revocation. A person who violates this section shall be fined not less than
12 one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

1 3. This act shall take effect immediately.

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SENATE, No. 253

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AN ACT concerning motor vehicles, and amending sections 39:3-34 and 39:3-40
of the Revised Statutes.

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

1 1. Section 39:3-34 of the Revised Statutes is amended to read as fol-
2 lows:

3 39:3-34. No person whose registration certificate or [operator's] driver's
4 license has been suspended or revoked, or whose name has been placed on the
5 prohibitory list to be denied a registration certificate or a driver's license,
6 shall apply to an agent of the commissioner for [another] a registration
7 certificate or license, a learner's permit, as the case may be, during the
8 period of the suspension or revocation, or prohibition. A person who vio-
9 lates this section shall be subject to a fine of not more than five hundred
10 dollars (\$500.00) or imprisonment for not more than three months, or both,
11 at the discretion of the court.

1 2. Section 39:3-40 of the Revised Statutes is amended to read as fol-
2 lows:

3 39:3-40. No person to whom [an operator's] a driver's license has been
4 refused, or whose [operator's] driver's license or reciprocity privilege has
5 been suspended or revoked, or whose name has been placed on the prohibi-

6 tory list to be denied a driver's license, shall personally operate a motor
7 vehicle during the period of the refusal, suspension, [or] revocation, or pro-
8 hibition.

9 No person whose motor vehicle registration has been revoked shall oper-
10 ate or permit the operation of such motor vehicle during the period of such
11 revocation. A person who violates this section shall be fined not less than
12 one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

1 3. This act shall take effect immediately.

STATEMENT

There are many cases of violations of the law by persons who have never held drivers' licenses. It is, therefore, impossible to revoke the license of such a person, and the department places the name on the prohibitory list to be denied a driver's license. In spite of this prohibition there are many cases of licenses having been obtained by persons whose names appear on the prohibitory list to be denied a driver's license. This is true also in cases of operation of motor vehicles by persons whose names have been placed on the prohibitory list. The law provides penalties only for those whose licenses have been refused, suspended or revoked. The inspectors and other enforcement officers are having difficulty in obtaining convictions for charges of obtaining a license while on the prohibitory list and operating a motor vehicle while on the prohibitory list. This amendment will provide a penalty for these two offenses.

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