

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39: 8-2, 39:3-4

(Motorcycle
inspection period-
-limit--April 1 to
October 31)

LAWS OF: 1989

CHAPTER: 167

Bill No: A1228

Sponsor(s): Ronney and Randall

Date Introduced: Pre-filed

Committee: Assembly: Law, Public Safety & Corrections

Senate: Law, Public Safety & Defense

Amended during passage: No

Date of Passage: Assembly: September 29, 1988

Senate: June 26, 1989

Date of Approval: August 14, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 1228

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman ROONEY and Assemblywoman RANDALL

2 AN ACT concerning inspection of motorcycles and amending
R.S.39:8-2 and R.S.39:3-4.

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

6 1. R.S.39:8-2 is amended to read as follows:

8 39:8-2. The director may designate and appoint, subject to
existing laws, competent examiners of motor vehicles to
10 examine motor vehicles required to be inspected in accordance
with the provisions of this chapter. [Such] The examiners may
12 be delegated to enforce the provisions of the motor vehicle and
traffic law.

The director may make rules and regulations with respect to
14 the character of the inspections to be made, with respect to the
frequency of inspections of new motor vehicles and with respect
16 to the approval or rejection of motor vehicles as a result of
[such] these inspections. Motorcycles shall be inspected
18 between April 1 and October 31. All other vehicles required by
the director to be inspected under this chapter shall be
20 inspected at least annually.

22 Rules and regulations relating to the frequency and character
of vehicle emission inspections shall be promulgated in
cooperation with the Department of Environmental Protection.

24 The director shall furnish to designated examiners official
certificates of approval, the form, content and use of which he
26 shall prescribe.

The director may, with the approval of the State House
28 Commission, purchase, lease or acquire by the exercise of the
power of eminent domain any property for the purpose of
30 assisting him in carrying out the provisions of this chapter.
[Such] This property may also be used by the director for the
32 exercise of the duties and powers conferred upon him by the
other chapters of this Title.

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.

2 The director shall conduct random roadside examinations of
motor vehicles required to be inspected in this State to provide
4 a continuous monitoring of motor vehicles. Each year at least
1% of the total number of motor vehicles registered in the State
6 shall be inspected by roadside examination teams under the
supervision of the director.

8 The director shall conduct inspections and audits of licensed
private inspection centers to insure accurate test equipment
10 calibration and use, and compliance with the provisions of this
act. These inspections and audits shall be conducted monthly,
except that at the discretion of the director, more frequent
12 audits and inspections may be conducted.

The director shall make a charge of \$2.50 for the initial
14 inspection for each vehicle subject to inspection, which amount
shall be paid to the director or his representative when payment
16 of the registration fees fixed in chapter 3 of this Title is made.
[Said] The fee is not applicable to inspection by licensed private
18 inspection centers.

(cf: P.L.1986, c.22, s.2)

20 2. R.S.39:3-4 is amended to read as follows:

22 39:3-4. Except as hereinafter provided, every resident of this
State and every nonresident whose automobile or motorcycle
shall be driven in this State shall, before using such vehicle on
24 the public highways, register the same, and no automobile or
motorcycle shall be driven unless so registered.

26 Such registration shall be made in the following manner: An
application in writing, signed by the applicant or by an agent
28 officer, in case the applicant is a corporation, shall be made to
the director or his lawful agent, on forms prepared and supplied
30 by the director, containing the name, address and age of the
owner, together with a description of the character of the
32 automobile or motorcycle, including the name of the maker and
the manufacturer's number or the motor number, or both, and
34 any other statement that may be required by the director. If the
vehicle is insured by motor vehicle liability insurance, as
36 required by law, the application shall contain the name of the
insurer of said vehicle and the policy number.

38 Thereupon the director shall have the power to grant a
registration certificate to the owner of any motor vehicle, if

over 17 years of age, application for the registration having
2 been properly made and the fee therefor paid, and the vehicle
being of a type that complies with the requirements of this
4 subtitle. The form and contents of the registration certificate
to be issued shall be prescribed by the director. The director
6 shall maintain a record of all registration certificates issued,
and of the contents thereof.

8 Every registration shall expire and the certificate thereof
become void on the last day of the twelfth calendar month
10 following the calendar month in which the certificate was
issued; provided, however, that the director may, at his
12 discretion and for good cause shown, require registrations which
shall expire, and issue certificates thereof which shall become
14 void, on a date fixed by him, which date shall not be sooner than
three months nor later than 16 months after the date of issuance
16 of such certificates, and the fees for such registrations shall be
fixed by the director in amounts proportionately less or greater
18 than the fees established in this Title.

All motorcycles for which registrations have been issued prior
20 to the effective date of P.L. . . . , c. . . . (C.) (now
pending before the Legislature as this bill) and which are
22 scheduled to expire between November 1 and March 31 shall,
upon renewal, be issued registrations by the director which shall
24 expire on a date fixed by him, but in no case shall that
expiration date be earlier than April 30 nor later than October
26 31. The fees for the renewal of the motorcycle registrations
authorized under this paragraph shall be fixed by the director in
28 an amount proportionately less or greater than the fee
established by R.S.39:3-21.

30 The director shall issue registration certificates for the
following registration period on and after the first day of the
32 calendar month immediately preceding the commencement of
such registration period, such registration certificates to be
34 effective immediately.

36 Application forms for all renewals of registration for
passenger automobiles shall be mailed by the director from the
central office of the division to the last addresses of owners of
38 motor vehicles and motorcycles, as they appear on the records
of the division.

2 No person owning or having control over any unregistered
motor vehicle shall permit the same to be parked or to stand on
a public highway.

4 Any police officer is authorized to remove any such
unregistered vehicle from the public highway to a storage space
6 or garage, the expense involved in such removal and storing of
said motor vehicle to be borne by the owner of such vehicle.

8 Any person violating the provisions of this section shall be
subject to a fine not exceeding \$100.00, except that for the
10 misstatement of any fact in the application required to be made
by the director, the person making such statement shall be
12 subject to the penalties provided in R.S.39:3-37.

Nothing in this section shall be construed to alter or extend
14 the expiration date of any registration certificate issued prior to
March 1, 1956.

16 (cf: P.L.1983, c.403, s.6)

18 3. This act shall take effect on the 366th day following
enactment.

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MOTOR VEHICLES

22

Motor Vehicles - License and Registration

24 Requires motorcycles to be inspected between April 1 and
October 31 to reduce dangers resulting from their use during
26 hazardous weather.

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5 motor vehicles and motorcycles, as they appear on the records
of the division.

7 No person owning or having control over any unregistered
motor vehicle shall permit the same to be parked or to stand on
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9 Any police officer is authorized to remove any such
unregistered vehicle from the public highway to a storage space
11 or garage, the expense involved in such removal and storing of
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13 Any person violating the provisions of this section shall be
subject to a fine not exceeding \$100.00, except that for the
15 misstatement of any fact in the application required to be made
by the director, the person making such statement shall be
17 subject to the penalties provided in R.S. 39:3-37.

Nothing in this section shall be construed to alter or extend
19 the expiration date of any registration certificate issued prior to
March 1, 1956.

21 [2.] 3. This act shall take effect [immediately] on the 366th
day following enactment.

23

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STATEMENT

27 This bill amends R.S. 39:8-2 to require that all motorcycles be
inspected between April 1st and October 31st of every year.

29 Although the New Jersey Administrative Code (N.J.A.C.
13:20-24.20), directs that all motorcycles be inspected between
31 March 1 and June 30 of each year, motorcycle inspections are
done year-round. The enactment of this bill would ensure that
33 motorcycle owners would not be required to operate their
motorcycle during hazardous weather conditions in order to have
35 them inspected.

To facilitate the change in inspection dates, the bill amends
37 R.S. 39:3-4 to authorize the Director of Division of Motor
Vehicles to assign new expiration dates for motorcycle
39 registration that expire between November 1 and March 31 so
that they conform with the newly established inspection

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1 requirements. The bill also requires the director to adjust the
2 registration fees proportionately for those owners that are
3 affected by the change in registration dates.

4 The bill incorporates the director's authority to assign new
5 registration dates as part of the section of law dealing with
6 motor vehicle and motorcycle registrations (R.S. 39:3-4).

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9 MOTOR VEHICLES

Motor Vehicles-License and Registration

11

12 Requires motorcycles to be inspected between April 1 and
13 October 31 to reduce dangers resulting from their use during
hazardous weather.

ASSEMBLY LAW, PUBLIC SAFETY AND CORRECTIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1228

STATE OF NEW JERSEY

DATED: SEPTEMBER 22, 1988

The Assembly Law, Public Safety and Corrections Committee favorably reports Assembly Bill No. 1228.

Assembly Bill No. 1228 amends R.S.39:8-2 and R.S.39:3-4 to require that all motorcycles be inspected between April 1st and October 31st of every year.

Although the New Jersey Administrative Code (N.J.A.C.13:20-24.20) directs that all motorcycles be inspected between March 1st and June 30th of each year, it is the understanding of the bill's sponsors that motorcycle inspections are conducted throughout the year. According to the bill's sponsors, the enactment of this bill would ensure that motorcycle owners would not be required to operate their motorcycles during those times of the year when they might encounter potentially hazardous weather conditions in order to get their motorcycles inspected.

The amendment to R.S.39:3-4 is to facilitate the change in inspection dates by authorizing the Director of the Division of Motor Vehicles to assign new expiration dates for motorcycle registrations that presently are scheduled to expire between November 1st and March 31st. In such cases, the bill empowers the director to proportionately adjust the registration fees of those owners whose motorcycle registration will be changed by the enactment of this bill.

To provide the Division of Motor Vehicles with sufficient time to make the administrative changes necessary to implement the provisions of this bill, its effective date is the 366th day following enactment.

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

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1228

STATE OF NEW JERSEY

DATED: DECEMBER 1, 1988

The Senate Law, Public Safety and Defense Committee reports favorably Assembly Bill No. 1228.

Assembly Bill No. 1228 amends R.S.39:8-2 and R.S.39:3-4 to require that all motorcycles be inspected between April 1st and October 31st of every year.

Although the New Jersey Administrative Code (N.J.A.C.13:20-24.20) directs that all motorcycles be inspected between March 1st and June 30th of each year, motorcycle inspections are conducted throughout the year. The enactment of this bill would ensure that motorcycle owners would not be required to operate their motorcycles during those times of the year when they might encounter potentially hazardous weather conditions.

The amendment to R.S.39:3-4 is to facilitate the change in inspection dates by authorizing the Director of the Division of Motor Vehicles to assign new expiration dates for motorcycle registrations that presently are scheduled to expire between November 1st and March 31st. In such cases, the bill empowers the director to proportionately adjust the registration fees of those owners whose motorcycle registrations will be changed by the enactment of this bill into law.