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CL/MM

P.L. 2023, CHAPTER 285, *approved January 16, 2024*
Senate, No. 4084 (*First Reprint*)

1 AN ACT concerning temporary registration certificates and license
2 plates, amending ¹and supplementing¹ P.L.1969, c.301 and
3 supplementing Title 2C of the New Jersey Statutes.
4

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

8 1. Section 1 of P.L.1969, c.301 (C.39:3-4b) is amended to read
9 as follows:

10 1. Any nonresident purchasing an automobile from a licensed
11 dealer in New Jersey which is to be principally garaged, registered,
12 and titled in another state, a federal district, or Canada, may register
13 the automobile in New Jersey on a temporary basis.

14 A temporary registration shall be made in the following manner:
15 An application in writing, signed by the applicant or by an agent or
16 officer in case the applicant is a corporation, shall be made to the chief
17 administrator or the chief administrator's lawful agent, on forms
18 prepared and supplied by the chief administrator, containing the name,
19 address, and age of the owner, together with a description of the
20 character of the automobile, including the name of the maker and the
21 manufacturer's number or the motor number, or both, and any other
22 statement that may be required by the chief administrator. A
23 temporary registration certificate shall not be issued unless the
24 licensed dealer has confirmed that the vehicle for which the temporary
25 registration is to be issued is insured in accordance with the
26 requirements of the "Motor Vehicle Security-Responsibility Law,"
27 P.L.1952, c.173 (C.39:6-23 et seq.), or the corresponding financial
28 responsibility laws of the jurisdiction in which the vehicle is to be
29 titled and registered.

30 In the event that the insurance is terminated, the insurer shall
31 notify the chief administrator within 30 days, following the
32 termination.

33 Thereupon the chief administrator or ¹any¹ licensed dealer ¹who is
34 authorized to issue temporary registration certificates and license
35 plates pursuant to the provisions of subsection i. of section 2
36 of P.L. , c. (C.) (pending before the Legislature as this bill)¹
37 shall have the power to grant a temporary registration certificate and

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 SBA committee amendments adopted December 14, 2023.

1 'a' temporary license **['plates]** plate in accordance with the
2 provisions of subsection b. of section 2 of P.L. , c. (C.)
3 (pending before the Legislature as this bill)¹ to the owner of any
4 automobile, if over 17 years of age, either directly or through any
5 licensed motor vehicle dealer who is not within the geographical
6 district, application for the temporary registration having been
7 properly made and the required fee paid, and the vehicle being of a
8 type that complies with the requirements of this subtitle. The form and
9 contents of the temporary registration certificate to be issued shall be
10 prescribed by the chief administrator. The chief administrator shall
11 maintain a record of all temporary registration certificates issued, and
12 of the contents thereof.

13 Every temporary registration shall expire and the certificate thereof
14 shall become void on the 30th day following the date on which the
15 certificate was issued; no temporary registration shall be renewed,
16 except as a permanent registration pursuant to R.S.39:3-4, and after
17 payment of the fees prescribed therein, or as a second temporary
18 registration certificate issued pursuant to section 2 of P.L.1969, c.301
19 (C.39:3-4c). Each licensed dealer shall remit upon issuance of a
20 second temporary registration certificate the amount due to the New
21 Jersey Motor Vehicle Commission.

22 The chief administrator shall issue temporary registration
23 certificates for the 30-day registration period, which shall be effective
24 immediately.

25 'Upon a finding that any abuse has been practiced, the chief
26 administrator shall have the right to suspend the dealer's privilege to
27 issue or franchise from issuing temporary registration certificates
28 and license plates or, upon a finding that any abuse has been
29 practiced by any member, officer, agent, employee, or other
30 representative of the licensed dealer, the chief administrator shall
31 have the right to permanently prohibit that member, officer, agent,
32 employee, or other representative from obtaining a position as an
33 owner, officer or director at any licensed dealership, or as an
34 employee at any licensed dealership, if the employee's position
35 involves access to the computer system used to request or print
36 temporary registration certificates or license plates.¹

37 **【Any person violating the provisions of this section shall be**
38 **subject to a fine not exceeding \$100】** Upon finding that any member,
39 officer, agent, employee, or other representative of a licensed dealer
40 has violated the provisions of this section or the provisions of any rule
41 or regulation prescribed by the chief administrator related to the
42 issuance of temporary registration certificates or license plates, the
43 chief administrator shall impose a fine against the licensed dealer in
44 the amount of \$2,500 for a first offense and \$5,000 for any subsequent
45 offense **1【**, except that for the misstatement of any fact in the
46 application required to be made by the chief administrator, the person

1 making the misstatement shall be subject to the penalties provided in
2 R.S.39:3-37¹.

3 The chief administrator may suspend or revoke the dealer license
4 of a dealer convicted of a violation of section 3 of
5 P.L. , c. (C.) (pending before the Legislature as this bill) or for
6 any subsequent violation of the provisions of this section or the
7 provisions of any rule or regulation prescribed by the chief
8 administrator related to the issuance of temporary registration
9 certificates or license plates. Each temporary registration certificate or
10 license plate issued in violation of the provisions of this section shall
11 constitute a separate offense.

12 (cf: P.L.2017, c.352, s.1)

13

14 2. Section 2 of P.L.1969, c.301 (C.39:3-4c) is amended to read
15 as follows:

16 2. a. The chief administrator may prescribe rules and regulations
17 governing the issuance of temporary registration certificates and
18 temporary license plates by motor vehicle dealers, motorized bicycle
19 dealers, and the New Jersey Motor Vehicle Commission and may
20 require security in sufficient amount to guarantee payment of all fees
21 and moneys to the State of New Jersey [and, upon] .

22 b. ¹[A] Except as provided in subsection f. of this section, a¹
23 licensed dealer may print one temporary license plate per bona fide
24 sale of a motor vehicle in accordance with subsection c. of this section.
25 ¹The chief administrator or designated vendor shall implement
26 security features that prevent a licensed dealer from printing more than
27 one temporary license plate per bona fide sale.¹

28 c. ¹[A] Not later than six months following the effective date of
29 P.L. , c. (C.) (pending before the Legislature as this bill), a¹
30 licensed dealer shall print every temporary license plate on
31 ¹[reflective]¹ paper that utilizes enhanced security features for the
32 purpose of preventing forgery or duplication of the temporary license
33 plate, as established by the chief administrator. ¹Not later than three
34 months following the effective date of P.L. , c. (C.) (pending
35 before the Legislature as this bill), the chief administrator shall select
36 and authorize the use of a specific type of security paper that does not
37 interfere with the ability of toll monitoring systems to detect toll
38 violations.¹

39 In addition to any other information required by the chief
40 administrator, for every temporary license plate printed by the
41 licensed dealer, the licensed dealer shall ¹[provide the chief
42 administrator with] maintain, in a physical file on the business
43 premises of the licensed dealer or in an electronic file on the
44 computer system of the licensed dealer, for a period of three years
45 following the date that the temporary license plate is issued,¹ the
46 following ¹[information, in the form of]¹ unredacted ¹[.

- 1 uploaded¹ documents¹, which shall be made available for inspection
2 by the chief administrator at any reasonable time¹ :
- 3 (1) a copy of the front and back of the driver's license of the
4 purchaser of the motor vehicle;
- 5 (2) a copy of the title or manufacturer's certificate of origin
6 showing the make, model, and vehicle identification number of the
7 motor vehicle sold to the purchaser of the motor vehicle;
- 8 (3) proof of a bona fide sale to include, but not limited to, a copy
9 of the executed bill of sale;
- 10 (4) a copy of proof of insurance coverage for the motor vehicle
11 sold to the purchaser; ¹[and]¹
- 12 (5) the static IP address of the printer used to print the temporary
13 license plate¹; and
- 14 (6) a copy of the temporary registration certificate and temporary
15 license plate issued to the purchaser¹ .
- 16 d. ¹[A] Not later than 14 months following the effective date of
17 P.L. , c. (C.) (pending before the Legislature as this bill), the
18 chief administrator shall establish and maintain a vehicle registry, as
19 defined under subsection j. of this section. A licensed dealer shall
20 enter into the vehicle registry any information required by the chief
21 administrator. Following the establishment of the vehicle registry by
22 the chief administrator, a¹ temporary registration certificate and
23 license plate shall only be issued¹ to a licensed dealer¹ for a motor
24 vehicle¹ that is¹ listed in the ¹[issuing dealer's]¹ vehicle registry.
- 25 e. Upon a finding that any abuse has been practiced [by any
26 licensed motor vehicle or motorized bicycle dealer], the chief
27 administrator shall have the right to suspend the dealer's privilege
28 or franchise from issuing temporary registration certificates and
29 license plates or, upon a finding that any abuse has been practiced
30 by any member, officer, agent, employee, or other representative of
31 the licensed dealer, the chief administrator shall have the right to
32 permanently prohibit that member, officer, agent, employee, or
33 other representative from obtaining a position as an owner, officer
34 or director ¹[,] at any licensed dealership ;¹ or ¹as an¹ employee at
35 ¹[another] any¹ licensed dealership¹, if the employee's position
36 involves access to the computer system used to request or print
37 temporary registration certificates or license plates¹ .
- 38 Upon a finding that a licensed dealer has violated the provisions of
39 this section or the provisions of any rule or regulation prescribed by
40 the chief administrator related to the issuance of temporary registration
41 certificates or license plates, the chief administrator shall impose a fine
42 of \$2,500 for a first offense and \$5,000 for any subsequent offense
43 upon a licensed dealer. In addition to any fines or penalties imposed
44 under this section, the chief administrator may suspend or revoke the
45 dealer license of a dealer convicted of a violation of section 3 of
46 P.L. , c. (C.) (pending before the Legislature as this bill) or for
47 any subsequent violation of the provisions of this section or the

1 provisions of any rule or regulation prescribed by the chief
2 administrator related to the issuance of temporary registration
3 certificates or license plates. Each temporary registration certificate or
4 license plate issued in violation of the provisions of this section shall
5 constitute a separate offense.

6 f. Temporary registration certificates for vehicles to be
7 permanently registered in New Jersey or any other jurisdiction shall be
8 valid for a period of 30 days. In the event permanent registration has
9 been delayed by reason of a lost title certificate or failure of a lien
10 holder to timely turn over a certificate of title, ¹or during the
11 processing of complex title corrections or replacement titles and
12 duplicate titles, or at the discretion of the chief administrator,¹ a
13 second temporary registration certificate may be issued. A licensed
14 motor vehicle or motorized bicycle dealer shall make a record in the
15 form and manner prescribed by the chief administrator for any second
16 temporary registration certificate issued and shall pay an enhanced fee
17 to be determined by the chief administrator for each second temporary
18 registration issued. Each licensed motor vehicle or motorized bicycle
19 dealer shall annually determine the fees to be paid pursuant to this
20 section and shall remit annually under certification the amount due to
21 the New Jersey Motor Vehicle Commission.

22 g. No temporary registration certificate shall be issued by a
23 licensed dealer **【hereunder】** unless the licensed dealer has confirmed
24 that the vehicle for which the temporary registration is to be issued is
25 covered by a policy of insurance in accordance with the requirements
26 of the "Motor Vehicle Security-Responsibility Law," P.L.1952, c.173
27 (C.39:6-23 et seq.), whether by a policy in the name of the purchaser
28 covering the vehicle or which would provide coverage for the
29 purchaser while operating the vehicle or by an endorsement to a policy
30 in the name of the licensed dealer; provided, however, no permanent
31 registration shall be issued unless a policy in the name of the purchaser
32 or someone in the purchaser's household is confirmed.

33 h. A temporary registration certificate issued hereunder may be
34 issued by any employee authorized by a licensed dealer to do so;
35 however, the licensee shall be liable for the acts of any authorized
36 employee in issuing temporary registrations, whether the particular
37 unlawful acts were authorized or unauthorized.

38 i. Every applicant for a motor vehicle dealer license who intends
39 to issue temporary registration certificates and temporary license plates
40 shall include with the dealer license application a separate application
41 to issue temporary registration certificates and temporary license
42 plates. The application for approval to issue temporary registration
43 certificates and temporary license plates shall be made in a form
44 determined by the chief administrator. The application for approval to
45 issue temporary registration certificates and temporary license plates
46 shall include, but is not limited to, the following:

47 (1) the name and business address of the applicant;

48 (2) proof of a current and valid dealer license;

1 (3) proof of a secure storage and printing area for the temporary
2 registration certificates and temporary license plates;

3 (4) ¹not later than one year following the effective date of
4 P.L. , c. (C.) (pending before the Legislature as this bill),¹
5 certification of completion of a training course approved by the chief
6 administrator for the issuance of temporary registration certificates and
7 temporary license plates; and

8 (5) the application fee, as determined by the chief administrator.

9 j. ¹ [_____ A licensed dealer shall keep detailed records of every
10 temporary registration certificate and temporary license plate issued by
11 the dealer for three years in a manner prescribed by the chief
12 administrator. All records kept pursuant to the provisions of this
13 subsection shall be open to inspection by the Motor Vehicle
14 Commission at any reasonable time.]¹

15 As used in this section:

16 “Bona fide sale” means a sale for valuable consideration made in
17 good faith and without the purpose of circumventing any law, rule, or
18 regulation.

19 “Certificate of ownership” means the document certifying
20 ownership of a motor vehicle, other than the manufacturer’s or
21 importer’s certificate of origin.

22 “Manufacturer’s or importer’s certificate of origin” means the
23 original written instrument or document required to be executed and
24 delivered by the manufacturer to the agent or a dealer, certifying the
25 origin of the vehicle.

26 “Motor vehicle title” means a title issued that documents
27 ownership of a vehicle and can be used to transfer ownership.

28 “Vehicle Registry” means ¹a database established and maintained
29 by the chief administrator that shall include¹ a listing of motor
30 vehicles owned¹, leased, or sold¹ by the licensed dealer ¹[containing
31 information about each motor vehicle as required by the Chief
32 Administrator of the New Jersey Motor Vehicle Commission] ; any
33 motor vehicles delivered to the licensed dealer for either wholesale or
34 retail sale; the name and address of the buyer or lessee of the motor
35 vehicle; the motor vehicle identification number; and any other
36 information as required by the chief administrator¹.

37 (cf: P.L.2017, c.352, s.2)

38
39 3. (New section) a. Any person who knowingly produces, sells,
40 offers, or exposes for sale a temporary registration certificate or
41 temporary license plate obtained by providing false information to the
42 Chief Administrator of the New Jersey Motor Vehicle Commission is
43 guilty of a crime of the fourth degree.

44 b. Any person who exhibits or displays on a motor vehicle a
45 temporary registration certificate or temporary license plate, knowing
46 that the temporary registration certificate or temporary license plate
47 was obtained by providing false information to the Chief

1 Administrator of the New Jersey Motor Vehicle Commission, is guilty
2 of a disorderly persons offense.

3 c. Any person who possesses a temporary registration certificate
4 or temporary license plate, knowing that the temporary registration
5 certificate or temporary license plate was obtained by providing false
6 information to the Chief Administrator of the New Jersey Motor
7 Vehicle Commission, is guilty of a petty disorderly persons offense.

8 d. Any person who knowingly produces, sells, offers, or exposes
9 for sale a forged, altered, counterfeited, or simulated temporary
10 registration certificate or temporary license plate that simulates a
11 temporary registration certificate or license plate is guilty of a crime of
12 the fourth degree.

13 e. Any person who exhibits or displays on a motor vehicle a
14 falsely made, forged, altered, counterfeited, or simulated temporary
15 registration certificate or temporary license plate, knowing that the
16 temporary registration certificate or temporary license plate was
17 falsely made, forged, altered, counterfeited or simulated, is guilty of a
18 disorderly persons offense.

19 f. Any person who possesses a falsely made, forged, altered,
20 counterfeited, or simulated temporary registration certificate or
21 temporary license plate, knowing that the temporary registration
22 certificate or temporary license plate was falsely made, forged, altered,
23 counterfeited, or simulated, is guilty of a petty disorderly persons
24 offense.

25 g. Nothing in this section shall be construed to preclude or limit
26 the prosecution or conviction of any person for any other crime or
27 offense.

28 ¹h. The clerk of the court in which a conviction is rendered or any
29 other person designated by the court shall, immediately upon entry,
30 forward a certified copy of the conviction or a transcript to the chief
31 administrator.¹

32

33 ¹4. (New section)a. Prior to suspending or revoking a dealer
34 license or imposing a fine on a licensed dealer pursuant to section 1 or
35 section 2 of P.L. , c. (C.) (pending before the Legislature as
36 this bill), the chief administrator shall, at least 10 days prior to the
37 scheduled hearing, notify the license holder, in writing, of the charges
38 and afford the license holder an opportunity to be heard in person or
39 by counsel. The written notice may be served either personally or by
40 registered mail addressed to the last-known address of the licensee.
41 The chief administrator may subpoena and require the appearance of
42 any person in this State, or take testimony by deposition, in the same
43 manner as prescribed by law in judicial proceedings in the courts of
44 this State. The Appellate Division of the Superior Court shall have the
45 power to review, by an appeal in lieu of prerogative writ taken by an
46 aggrieved person, a final determination of the chief administrator.

1 b. Any fine imposed and collected pursuant to this act shall be
2 remitted to the commission and used to defray the costs of the
3 commission.

4 c. The chief administrator is authorized to adopt rules and
5 regulations in accordance with the “Administrative Procedure Act,”
6 P.L.1968, c.410 (C.52:14B-1 et seq.), implementing the provisions of
7 this act.¹

8 ¹[4. This] 5. Sections 1 and 2 of this¹ act shall take effect
9 ¹[immediately] on the first day of the sixth month next following
10 enactment, except that the Chief Administrator of the New Jersey
11 Motor Vehicle Commission may take any anticipatory administrative
12 action necessary to implement the provisions of this act. Sections 3
13 and 4 of this act shall take effect immediately¹ .

14

15

16

17

18

Concerns temporary registration certificates and license plates.

SENATE, No. 4084

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED NOVEMBER 27, 2023

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

Concerns temporary registration certificates and license plates.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning temporary registration certificates and license
2 plates, amending P.L.1969, c.301 and supplementing Title 2C of
3 the New Jersey Statutes.

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

7
8 1. Section 1 of P.L.1969, c.301 (C.39:3-4b) is amended to read
9 as follows:

10 1. Any nonresident purchasing an automobile from a licensed
11 dealer in New Jersey which is to be principally garaged, registered,
12 and titled in another state, a federal district, or Canada, may register
13 the automobile in New Jersey on a temporary basis.

14 A temporary registration shall be made in the following manner:
15 An application in writing, signed by the applicant or by an agent or
16 officer in case the applicant is a corporation, shall be made to the
17 chief administrator or the chief administrator's lawful agent, on
18 forms prepared and supplied by the chief administrator, containing
19 the name, address, and age of the owner, together with a description
20 of the character of the automobile, including the name of the maker
21 and the manufacturer's number or the motor number, or both, and
22 any other statement that may be required by the chief administrator.
23 A temporary registration certificate shall not be issued unless the
24 licensed dealer has confirmed that the vehicle for which the
25 temporary registration is to be issued is insured in accordance with
26 the requirements of the "Motor Vehicle Security-Responsibility
27 Law," P.L.1952, c.173 (C.39:6-23 et seq.), or the corresponding
28 financial responsibility laws of the jurisdiction in which the vehicle
29 is to be titled and registered.

30 In the event that the insurance is terminated, the insurer shall
31 notify the chief administrator within 30 days, following the
32 termination.

33 Thereupon the chief administrator or licensed dealer shall have
34 the power to grant a temporary registration certificate and
35 temporary license plates to the owner of any automobile, if over 17
36 years of age, either directly or through any licensed motor vehicle
37 dealer who is not within the geographical district, application for
38 the temporary registration having been properly made and the
39 required fee paid, and the vehicle being of a type that complies with
40 the requirements of this subtitle. The form and contents of the
41 temporary registration certificate to be issued shall be prescribed by
42 the chief administrator. The chief administrator shall maintain a
43 record of all temporary registration certificates issued, and of the
44 contents thereof.

45 Every temporary registration shall expire and the certificate
46 thereof shall become void on the 30th day following the date on

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.

1 which the certificate was issued; no temporary registration shall be
2 renewed, except as a permanent registration pursuant to R.S.39:3-4,
3 and after payment of the fees prescribed therein, or as a second
4 temporary registration certificate issued pursuant to section 2 of
5 P.L.1969, c.301 (C.39:3-4c). Each licensed dealer shall remit upon
6 issuance of a second temporary registration certificate the amount
7 due to the New Jersey Motor Vehicle Commission.

8 The chief administrator shall issue temporary registration
9 certificates for the 30-day registration period, which shall be
10 effective immediately.

11 **【Any person violating the provisions of this section shall be**
12 **subject to a fine not exceeding \$100】** Upon finding that any member,
13 officer, agent, employee, or other representative of a licensed dealer
14 has violated the provisions of this section or the provisions of any rule
15 or regulation prescribed by the chief administrator related to the
16 issuance of temporary registration certificates or license plates, the
17 chief administrator shall impose a fine against the licensed dealer in
18 the amount of \$2,500 for a first offense and \$5,000 for any subsequent
19 offense , except that for the misstatement of any fact in the application
20 required to be made by the chief administrator, the person making the
21 misstatement shall be subject to the penalties provided in R.S.39:3-37.
22 The chief administrator may suspend or revoke the dealer license of a
23 dealer convicted of a violation of section 3 of P.L. , c. (C.)
24 (pending before the Legislature as this bill) or for any subsequent
25 violation of the provisions of this section or the provisions of any rule
26 or regulation prescribed by the chief administrator related to the
27 issuance of temporary registration certificates or license plates. Each
28 temporary registration certificate or license plate issued in violation
29 of the provisions of this section shall constitute a separate offense.
30 (cf: P.L.2017, c.352, s.1)

31
32 2. Section 2 of P.L.1969, c.301 (C.39:3-4c) is amended to read
33 as follows:

34 2. a. The chief administrator may prescribe rules and
35 regulations governing the issuance of temporary registration
36 certificates and temporary license plates by motor vehicle dealers,
37 motorized bicycle dealers, and the New Jersey Motor Vehicle
38 Commission and may require security in sufficient amount to
39 guarantee payment of all fees and moneys to the State of New
40 Jersey **【and, upon】** .

41 b. A licensed dealer may print one temporary license plate per
42 bona fide sale of a motor vehicle in accordance with subsection c.
43 of this section.

44 c. A licensed dealer shall print every temporary license plate
45 on reflective paper that utilizes enhanced security features for the
46 purpose of preventing forgery or duplication of the temporary
47 license plate, as established by the chief administrator.

1 In addition to any other information required by the chief
2 administrator, for every temporary license plate printed by the
3 licensed dealer, the licensed dealer shall provide the chief
4 administrator with the following information, in the form of
5 unredacted, uploaded documents:

6 (1) a copy of the front and back of the driver's license of the
7 purchaser of the motor vehicle;

8 (2) a copy of the title or manufacturer's certificate of origin
9 showing the make, model, and vehicle identification number of the
10 motor vehicle sold to the purchaser of the motor vehicle;

11 (3) proof of a bona fide sale to include, but not limited to, a
12 copy of the executed bill of sale;

13 (4) a copy of proof of insurance coverage for the motor vehicle
14 sold to the purchaser; and

15 (5) the static IP address of the printer used to print out the
16 temporary license plate.

17 d. A temporary registration certificate and license plate shall
18 only be issued for a motor vehicle listed in the issuing dealer's
19 vehicle registry.

20 e. Upon a finding that any abuse has been practiced [by any
21 licensed motor vehicle or motorized bicycle dealer], the chief
22 administrator shall have the right to suspend the dealer's privilege
23 or franchise from issuing temporary registration certificates and
24 license plates or, upon a finding that any abuse has been practiced
25 by any member, officer, agent, employee, or other representative of
26 the licensed dealer, the chief administrator shall have the right to
27 permanently prohibit that member, officer, agent, employee, or
28 other representative from obtaining a position as an owner, officer
29 or director, or employee at another licensed dealership.

30 Upon a finding that a licensed dealer has violated the provisions
31 of this section or the provisions of any rule or regulation prescribed
32 by the chief administrator related to the issuance of temporary
33 registration certificates or license plates, the chief administrator
34 shall impose a fine of \$2,500 for a first offense and \$5,000 for any
35 subsequent offense upon a licensed dealer. In addition to any fines
36 or penalties imposed under this section, the chief administrator may
37 suspend or revoke the dealer license of a dealer convicted of a
38 violation of section 3 of P.L. , c. (C.) (pending before the
39 Legislature as this bill) or for any subsequent violation of the
40 provisions of this section or the provisions of any rule or regulation
41 prescribed by the chief administrator related to the issuance of
42 temporary registration certificates or license plates. Each
43 temporary registration certificate or license plate issued in violation
44 of the provisions of this section shall constitute a separate offense.

45 f. Temporary registration certificates for vehicles to be
46 permanently registered in New Jersey or any other jurisdiction shall
47 be valid for a period of 30 days. In the event permanent registration
48 has been delayed by reason of a lost title certificate or failure of a

1 lien holder to timely turn over a certificate of title, a second
2 temporary registration certificate may be issued. A licensed motor
3 vehicle or motorized bicycle dealer shall make a record in the form
4 and manner prescribed by the chief administrator for any second
5 temporary registration certificate issued and shall pay an enhanced
6 fee to be determined by the chief administrator for each second
7 temporary registration issued. Each licensed motor vehicle or
8 motorized bicycle dealer shall annually determine the fees to be
9 paid pursuant to this section and shall remit annually under
10 certification the amount due to the New Jersey Motor Vehicle
11 Commission.

12 g. No temporary registration certificate shall be issued by a
13 licensed dealer **[hereunder]** unless the licensed dealer has
14 confirmed that the vehicle for which the temporary registration is to
15 be issued is covered by a policy of insurance in accordance with the
16 requirements of the "Motor Vehicle Security-Responsibility Law,"
17 P.L.1952, c.173 (C.39:6-23 et seq.), whether by a policy in the
18 name of the purchaser covering the vehicle or which would provide
19 coverage for the purchaser while operating the vehicle or by an
20 endorsement to a policy in the name of the licensed dealer;
21 provided, however, no permanent registration shall be issued unless
22 a policy in the name of the purchaser or someone in the purchaser's
23 household is confirmed.

24 h. A temporary registration certificate issued hereunder may be
25 issued by any employee authorized by a licensed dealer to do so;
26 however, the licensee shall be liable for the acts of any authorized
27 employee in issuing temporary registrations, whether the particular
28 unlawful acts were authorized or unauthorized.

29 i. Every applicant for a motor vehicle dealer license who
30 intends to issue temporary registration certificates and temporary
31 license plates shall include with the dealer license application a
32 separate application to issue temporary registration certificates and
33 temporary license plates. The application for approval to issue
34 temporary registration certificates and temporary license plates
35 shall be made in a form determined by the chief administrator. The
36 application for approval to issue temporary registration certificates
37 and temporary license plates shall include, but is not limited to, the
38 following:

39 (1) the name and business address of the applicant;

40 (2) proof of a current and valid dealer license;

41 (3) proof of a secure storage and printing area for the temporary
42 registration certificates and temporary license plates;

43 (4) certification of completion of a training course approved by
44 the chief administrator for the issuance of temporary registration
45 certificates and temporary license plates; and

46 (5) the application fee, as determined by the chief administrator.

47 j. A licensed dealer shall keep detailed records of every
48 temporary registration certificate and temporary license plate issued

1 by the dealer for three years in a manner prescribed by the chief
2 administrator. All records kept pursuant to the provisions of this
3 subsection shall be open to inspection by the Motor Vehicle
4 Commission at any reasonable time.

5 As used in this section:

6 “Bona fide sale” means a sale for valuable consideration made in
7 good faith and without the purpose of circumventing any law, rule,
8 or regulation.

9 “Certificate of ownership” means the document certifying
10 ownership of a motor vehicle, other than the manufacturer’s or
11 importer’s certificate of origin.

12 “Manufacturer’s or importer’s certificate of origin” means the
13 original written instrument or document required to be executed and
14 delivered by the manufacturer to the agent or a dealer, certifying the
15 origin of the vehicle.

16 “Motor vehicle title” means a title issued that documents
17 ownership of a vehicle and can be used to transfer ownership.

18 “Vehicle Registry” means a listing of motor vehicles owned by
19 the licensed dealer containing information about each motor vehicle
20 as required by the Chief Administrator of the New Jersey Motor
21 Vehicle Commission.

22 (cf: P.L.2017, c.352, s.2)

23

24 3. (New section) a. Any person who knowingly produces,
25 sells, offers, or exposes for sale a temporary registration certificate
26 or temporary license plate obtained by providing false information
27 to the Chief Administrator of the New Jersey Motor Vehicle
28 Commission is guilty of a crime of the fourth degree.

29 b. Any person who exhibits or displays on a motor vehicle a
30 temporary registration certificate or temporary license plate,
31 knowing that the temporary registration certificate or temporary
32 license plate was obtained by providing false information to the
33 Chief Administrator of the New Jersey Motor Vehicle Commission,
34 is guilty of a disorderly persons offense.

35 c. Any person who possesses a temporary registration
36 certificate or temporary license plate, knowing that the temporary
37 registration certificate or temporary license plate was obtained by
38 providing false information to the Chief Administrator of the New
39 Jersey Motor Vehicle Commission, is guilty of a petty disorderly
40 persons offense.

41 d. Any person who knowingly produces, sells, offers, or
42 exposes for sale a forged, altered, counterfeited, or simulated
43 temporary registration certificate or temporary license plate that
44 simulates a temporary registration certificate or license plate is
45 guilty of a crime of the fourth degree.

46 e. Any person who exhibits or displays on a motor vehicle a
47 falsely made, forged, altered, counterfeited, or simulated temporary
48 registration certificate or temporary license plate, knowing that the

1 temporary registration certificate or temporary license plate was
2 falsely made, forged, altered, counterfeited or simulated, is guilty of
3 a disorderly persons offense.

4 f. Any person who possesses a falsely made, forged, altered,
5 counterfeited, or simulated temporary registration certificate or
6 temporary license plate, knowing that the temporary registration
7 certificate or temporary license plate was falsely made, forged,
8 altered, counterfeited, or simulated, is guilty of a petty disorderly
9 persons offense.

10 g. Nothing in this section shall be construed to preclude or
11 limit the prosecution or conviction of any person for any other
12 crime or offense.

13

14 4. This act shall take effect immediately.

15

16

17

STATEMENT

18

19 This bill establishes an application process and certain security
20 procedures for licensed motor vehicle dealers seeking to provide
21 temporary license plates to buyers.

22 Under the bill, a licensed motor vehicle dealer is required to
23 apply to the Chief Administrator of the New Jersey Motor Vehicle
24 Commission (MVC) before the dealer is able to issue temporary
25 registration certificates and temporary license plates. The
26 application is to include the dealer's name and business address,
27 proof of a valid dealer license, a demonstration of a secure storage
28 and printing area, the completion of an approved training course,
29 and the application fee.

30 The bill requires that for each temporary license plate requested
31 from MVC, in addition to any information required by the chief
32 administrator, the dealer is to provide a copy of the front and back
33 of the purchaser's driver's license, a copy of the title or
34 manufacturer's certificate of origin showing make, model, and the
35 vehicle identification number of the motor vehicle sold to the
36 purchaser, proof of a bona fide sale to include, but not limited to,
37 a copy of the executed bill of sale, a copy of the proof of insurance
38 coverage for the motor vehicle sold to the purchaser, and the static
39 IP address of the printer used to print out the temporary license
40 plate.

41 The bill requires licensed motor vehicle dealers to print
42 temporary license plates on reflective paper that utilizes enhanced
43 security features, as established by the chief administrator, for the
44 purpose of preventing forgery or duplication.

45 The bill increases penalties for licensed motor vehicle dealers
46 who violate the provisions of the bill or the provisions of any rule
47 or regulation prescribed by the chief administrator related to the
48 issuance of temporary license plates and temporary registration

1 certificates. Under the bill, a violator would be liable to a penalty
2 of \$2,500 for a first offense and \$5,000 for any subsequent offense.
3 Each temporary license plate issued in violation of this bill is to
4 constitute a separate offense. The bill grants the chief administrator
5 the discretion to permanently prohibit any member, officer, agent,
6 employee, or other representative of a licensed dealer who violates
7 the provisions of this bill from obtaining a position as an owner,
8 officer or director, or employee at another licensed dealership.

9 In addition, this bill establishes: 1) a crime of the fourth degree
10 for any person who knowingly produces, sells, offers, or exposes
11 for sale a temporary license plate or temporary registration
12 certificate obtained by providing false information to the chief
13 administrator; 2) a disorderly persons offense for any person who
14 knowingly exhibits or displays or produces a temporary license
15 plate or temporary registration certificate obtained by providing
16 false information; 3) a petty disorderly persons offense for any
17 person possessing a temporary license plate or temporary
18 registration certificate obtained by providing false information; 4) a
19 crime of the fourth degree for any person who knowingly produces,
20 sells, offers, or exposes for sale a forged, altered, counterfeited, or
21 simulated temporary registration certificate or temporary license
22 plate; 5) a disorderly persons offense for any person who exhibits or
23 displays on a motor vehicle a falsely made, forged, altered,
24 counterfeited or simulated temporary registration certificate or
25 temporary license plate, knowing that the temporary registration
26 certificate or temporary license plate was falsely made, forged,
27 altered, counterfeited or simulated; and 6) a petty disorderly persons
28 offense for any person who possesses a falsely made, forged,
29 altered, counterfeited, or simulated temporary registration
30 certificate or temporary license plate, knowing that the temporary
31 registration certificate or temporary license plate was falsely made,
32 forged, altered, counterfeited, or simulated.

33 A fourth-degree crime is punishable by up to 18 months
34 imprisonment, a fine of up to \$10,000, or both. A disorderly
35 persons offense is punishable by up to six months imprisonment, a
36 fine of up to \$1,000, or both. A petty disorderly persons offense is
37 punishable by up to 30 days imprisonment, a fine of up to \$500, or
38 both.

39 Under the bill, the chief administrator may suspend or revoke the
40 dealer license of a dealer who commits multiple violations of the
41 provisions of this bill or who is convicted of a criminal violation of
42 the provisions of this bill.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 4084

STATE OF NEW JERSEY

DATED: NOVEMBER 27, 2023

The Senate Transportation Committee reports favorably Senate Bill No. 4084.

As reported, this bill establishes an application process and certain security procedures for licensed motor vehicle dealers seeking to provide temporary license plates to buyers.

Under the bill, a licensed motor vehicle dealer is required to apply to the Chief Administrator (chief administrator) of the New Jersey Motor Vehicle Commission (commission) before the dealer is permitted to issue temporary registration certificates and temporary license plates. The application is to include the dealer's name and business address, proof of a valid dealer license, a demonstration of a secure storage and printing area, completion of an approved training course, and the application fee.

The bill provides that for each temporary license plate requested from the commission, in addition to any information required by the chief administrator, the dealer is required to provide: (1) a copy of the front and back of the purchaser's driver's license; (2) a copy of the title or manufacturer's certificate of origin showing the make, model, and the vehicle identification number of the motor vehicle sold to the purchaser; (3) proof of a bona fide sale, including, but not limited to, a copy of the executed bill of sale; (4) a copy of the proof of insurance coverage for the motor vehicle sold to the purchaser, and (5) the static IP address of the printer used to print the temporary license plate.

The bill requires licensed motor vehicle dealers to print temporary license plates on reflective paper that utilizes enhanced security features, as established by the chief administrator, for the purpose of preventing forgery or duplication.

The bill increases penalties for licensed motor vehicle dealers who violate the provisions of the bill or any rule or regulation prescribed by the chief administrator related to the issuance of temporary license plates and temporary registration certificates. Under the bill, a violator would be liable to a penalty of \$2,500 for a first offense and \$5,000 for any subsequent offense. Each temporary license plate issued in violation of this bill is to constitute a separate offense. The bill grants the chief administrator the discretion to permanently prohibit any member, officer, agent, employee, or other representative of a licensed dealer who violates the provisions of this bill from obtaining a position

as an owner, officer or director, or employee at another licensed dealership.

In addition, this bill establishes: (1) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a temporary license plate or temporary registration certificate obtained by providing false information to the chief administrator; (2) a disorderly persons offense for any person who knowingly exhibits or displays or produces a temporary license plate or temporary registration certificate obtained by providing false information; (3) a petty disorderly persons offense for any person possessing a temporary license plate or temporary registration certificate obtained by providing false information; (4) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate; (5) a disorderly persons offense for any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated; and (6) a petty disorderly persons offense for any person who possesses a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Under the bill, the chief administrator may suspend or revoke the dealer license of a dealer who commits multiple violations of the provisions of this bill or who is convicted of a criminal violation of the provisions of this bill.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 4084

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2023

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 4084.

As amended, the bill establishes an application process and certain security procedures for licensed motor vehicle dealers seeking to provide temporary license plates to buyers.

Under the bill, a licensed motor vehicle dealer is required to apply to the Chief Administrator of the New Jersey Motor Vehicle Commission to be permitted to issue temporary registration certificates and temporary license plates. The application is to include the dealer's name and business address, proof of a valid dealer license, a demonstration of a secure storage and printing area, completion of an approved training course, and the application fee.

The bill provides that for each temporary license plate requested from the commission, in addition to any information required by the chief administrator, the dealer is required to maintain in a physical file on the business premises of the licensed dealer or in an electronic file on the computer system of the licensed dealer, for a period of three years following the date that the temporary license plate is issued: (1) a copy of the front and back of the purchaser's driver's license; (2) a copy of the title or manufacturer's certificate of origin showing the make, model, and the vehicle identification number of the motor vehicle sold to the purchaser; (3) proof of a bona fide sale, including, but not limited to, a copy of the executed bill of sale; (4) a copy of the proof of insurance coverage for the motor vehicle sold to the purchaser; (5) the static IP address of the printer used to print the temporary license plate; and (6) a copy of the temporary registration certificate and temporary license plate issued to the purchaser.

Within six months of the bill's effective date, licensed motor vehicle dealers are required to print temporary license plates on paper that utilizes enhanced security features, as established by the chief administrator, for the purpose of preventing forgery or duplication. Within three months of the bill's effective date, the chief administrator is required to select and authorize the use of a specific type of security paper that does not interfere with the ability of toll monitoring systems to detect toll violations.

In addition, the bill grants the chief administrator 14 months to establish and maintain a database of information regarding motor vehicles sold or leased by any licensed dealer. The bill requires licensed dealers to enter into the vehicle registry any information required by the chief administrator. Following the establishment of the vehicle registry by the chief administrator, a temporary registration certificate and license plate may only be issued to a licensed dealer for a motor vehicle that is listed in the vehicle registry. The bill defines “vehicle registry” to mean a database that includes the following information: a listing of motor vehicles owned, leased, or sold by the licensed dealer; any motor vehicles delivered to the licensed dealer for either wholesale or retail sale; the name and address of the buyer or lessee of the motor vehicle; the motor vehicle identification number; and any other information as required by the chief administrator.

The bill increases penalties for licensed motor vehicle dealers who violate the provisions of the bill or any rule or regulation prescribed by the chief administrator related to the issuance of temporary license plates and temporary registration certificates. Under the bill, a violator would be liable to a penalty of \$2,500 for a first offense and \$5,000 for any subsequent offense. Each temporary license plate issued in violation of this bill is to constitute a separate offense. The bill grants the chief administrator the discretion to permanently prohibit any member, officer, agent, employee, or other representative of a licensed dealer who violates the provisions of this bill from obtaining a position as an owner, officer or director, at any licensed dealership, or as an employee at any licensed dealership, if the employee’s position involves access to the computer system used to request or print temporary registration certificates or license plates.

In addition, this bill establishes: (1) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a temporary license plate or temporary registration certificate obtained by providing false information to the chief administrator; (2) a disorderly persons offense for any person who knowingly exhibits or displays or produces a temporary license plate or temporary registration certificate obtained by providing false information; (3) a petty disorderly persons offense for any person possessing a temporary license plate or temporary registration certificate obtained by providing false information; (4) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate; (5) a disorderly persons offense for any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated; and (6) a petty disorderly persons offense for any person who possesses a falsely

made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Under the bill, following a hearing, the chief administrator may suspend or revoke the dealer license of a dealer who commits multiple violations of the provisions of this bill or who is convicted of a criminal violation of the provisions of this bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require the licensed dealer to maintain in a physical or electronic file certain documents related to each temporary license plate printed for a period of three years;

(2) clarify that any member, officer, agent, employee, or other representative who has been found to have abused the temporary license plate system is prohibited from being employed by a licensed dealer in any position that involves access to the computer system used to request or print temporary license plates;

(3) provide that chief administrator or designated vendor is to implement security features to prevent a licensed dealer from printing more than one temporary license plate per bona fide sale;

(4) provide that the chief administrator has three months from the bill's effective date to select and authorize the use of a specific type of security paper for printing temporary license plates that does not interfere with the ability of toll monitoring systems to detect toll violations;

(5) clarify that within one year of the bill's effective date, a licensed dealer is to complete the training course required for approval of the dealer's application to issue temporary registration certificates and license plates;

(6) provide that the clerk of the court in which a conviction is rendered or any other person designated by the court is to forward to the chief administrator a certified copy of the conviction or a transcript;

(7) provide certain notice and other requirements for any hearing held by the chief administrator in response to a violation the bill's provisions;

(8) provide that sections three and four of the bill are to take effect immediately and that sections one and two of the bill are to take effect on the first day of the sixth month next following enactment, except

that the chief administrator may take any anticipatory administrative action necessary to implement the bill's provisions;

(9) revise the definition of "vehicle registry" to mean a database established and maintained by the chief administrator that includes the following information: a listing of motor vehicles owned, leased, or sold by the licensed dealer; any motor vehicles delivered to the licensed dealer for either wholesale or retail sale; the name and address of the buyer or lessee of the motor vehicle; the motor vehicle identification number; and any other information required by the chief administrator;

(10) 14 months following the bill's effective date, the chief administrator is required to establish and maintain a vehicle registry;

(11) require a licensed dealer to enter into the vehicle registry any information required by the chief administrator;

(12) provide that following the establishment of the vehicle registry by the chief administrator, a temporary registration certificate and license plate only be issued to a licensed dealer for a motor vehicle that is listed in the vehicle registry; and

(13) make certain technical and clarifying changes.

FISCAL IMPACT:

The Office of Legislative Services (OLS) anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.

The OLS further notes that the bill will increase annual State and municipal revenue collections from fine and penalty payments from convicted violators of new and expanded statutory provisions. The bill increases the fine for violations related to temporary registration certificates and license plates from \$100 to \$2,500 for the first offense and \$5,000 for subsequent offenses. The bill also imposes the penalties for fourth-degree crimes, disorderly persons offenses, and petty disorderly persons offenses. A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 4084

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: DECEMBER 28, 2023

SUMMARY

Synopsis: Concerns temporary registration certificates and license plates.

Type of Impact: Annual State and local expenditure and revenue increases.

Agencies Affected: New Jersey Motor Vehicle Commission; Department of Law and Public Safety; State, county, and municipal Law Enforcement; Administrative Office of the Courts; Superior Court.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State and Local Expenditure Increases	Indeterminate
State and Local Revenue Increases	Indeterminate

- The Office of Legislative Services (OLS) anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.
- The OLS further notes that the bill will increase annual State and municipal revenue collections from fine and penalty payments from convicted violators of new and expanded statutory provisions. The bill increases the fine for violations related to temporary registration certificates and license plates from \$100 to \$2,500 for the first offense and \$5,000 for subsequent offenses. The bill also imposes the penalties for fourth-degree crimes, disorderly persons offenses, and petty disorderly persons offenses. A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

BILL DESCRIPTION

This bill establishes an application process and certain security procedures for licensed motor vehicle dealers seeking to provide temporary license plates to buyers.

Under the bill, a licensed motor vehicle dealer is required to apply to the New Jersey Motor Vehicle Commission before the dealer is permitted to issue temporary registration certificates and temporary license plates. The bill requires the Motor Vehicle Commission to establish a vehicle registry for licensed motor vehicle dealers to upload information as required by the provisions of this bill.

The bill requires that for each temporary license plate requested from the Motor Vehicle Commission, in addition to any information required by the Chief Administrator of the Motor Vehicle Commission, the dealer is to collect certain information from the purchaser as well as additional documentation and maintain that documentation for three years. The bill requires licensed motor vehicle dealers to print temporary license plates on certain paper, as established by the commission.

The bill increases penalties for licensed motor vehicle dealers who violate the provisions of the bill or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary license plates and temporary registration certificates. Under the bill, a violator would be liable to a penalty of \$2,500 for a first offense and \$5,000 for any subsequent offense. Currently, the penalty is \$100. Each temporary license plate issued in violation of this bill is to constitute a separate offense. The bill grants the chief administrator the discretion to permanently prohibit any member, officer, agent, employee, or other representative of a licensed dealer who violates the provisions of this bill from obtaining a position as an owner, officer or director, or employee at any licensed dealership.

In addition, this bill establishes:

1) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a temporary license plate or temporary registration certificate obtained by providing false information to the Motor Vehicle Commission;

2) a disorderly persons offense for any person who knowingly exhibits or displays or produces a temporary license plate or temporary registration certificate obtained by providing false information;

3) a petty disorderly persons offense for any person possessing a temporary license plate or temporary registration certificate obtained by providing false information;

4) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate;

5) a disorderly persons offense for any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated; and

6) a petty disorderly persons offense for any person who possesses a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated.

A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Further, the clerk of the court in which a conviction is rendered or any other person designated by the court is to forward to the Motor Vehicle Commission a certified copy of the conviction or a transcript.

Under the bill, the Motor Vehicle Commission may suspend or revoke the dealer license of a dealer who commits multiple violations of the provisions of this bill or who is convicted of a criminal violation of the provisions of this bill. The commission is required to provide certain notice for any hearing held by the chief administrator in response to a violation of the bill's provisions.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.

The OLS further notes that the bill will increase annual State and municipal revenue collections from fines and penalties by indeterminate amounts.

Expenditure Increases: The OLS anticipates that the Motor Vehicle Commission will expend resources initially to adopt the provisions in the bill, especially the establishment of the licensed dealer vehicle registry. The bill's expansion of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will increase the workload of the Division of Criminal Justice in the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and municipal courts, as additional defendants will be prosecuted and tried. The Superior Court adjudicates crimes of the fourth degree. Disorderly person offenses and petty disorderly persons are adjudicated by municipal courts, in most circumstances. Depending on the resource allocation policies of the commission and court, the added initial workload may or may not augment State administrative expenditures.

A presumption of non-incarceration generally applies to first-time offenders of crimes of the fourth degree and disorderly persons cases. Repeat offenders, however, could be incarcerated. The OLS notes that to the extent that the bill will result in additional incarcerations, according to an informal estimate provided by the Department of Corrections, the average annual cost of housing an inmate in a State correctional facility is \$75,574. The cost was based on FY 2023 actual expenditures and is an average of all facilities. The OLS, however, cannot project the number of future prosecutions, trials, and incarcerations related to the crimes established by the bill. Any additional State cost from the expansion of the law may be offset, in part, by criminal fines and penalties imposed by the courts on persons convicted of having violated the expanded law; however, the State's ability to collect criminal fines and penalties has historically been limited.

Revenue Gains: Additional indeterminate annual State and municipal revenue will accrue from fine and penalty payments from convicted violators of new and expanded statutory provisions.

Fine payments: The Administrative Office of the Courts indicated that in calendar year 2022, there were 56 violations of section 1 of P.L.1989, c.301 and 16 convictions. In calendar year 2019 there were 53 violations and 12 convictions. The current fine for a conviction is \$100. Under the bill, this fine would increase to \$2,500 for the first offense and \$5,000 for subsequent offenses. Hypothetically, the increase in revenue from this fine would be between \$38,400 and \$78,400 annually depending on whether a conviction was for a first or subsequent offense.

Penalty payments: This bill establishes penalties for various offenses related to the temporary registration certificates and license plates. In establishing new fourth-degree crime, disorderly persons, and petty disorderly persons offenses, the bill creates the potential for recurring State and municipal revenue gains.

Under the bill, it would be a fourth-degree crime for any person to knowingly produce, sell, offer, or expose for sale a temporary license plate or temporary registration certificate obtained by providing false information to the chief administrator and for any person to knowingly produce, sell, offer, or expose for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate. Fourth-degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

Under the bill, it would be a disorderly persons offense for any person to knowingly exhibit, display, or produce a temporary license plate or temporary registration certificate obtained by providing false information and for any person to exhibit or display on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated. A disorderly persons offense is punishable by up to six months' imprisonment, a fine of up to \$1,000, or both. Disorderly person offenses are adjudicated by municipal courts, in most circumstances.

Under the bill it would be a petty disorderly persons offense for any person to possess a temporary license plate or temporary registration certificate obtained by providing false information and for any person to possess a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Typically, pursuant to State law, all fines and penalties imposed as a result of a conviction for a disorderly persons, petty disorderly persons, or other crime in a municipal court, that are not otherwise exempted by that statute, are retained by the municipality, unless the municipal court was a central municipal court, in which case the county retains the funds.

The OLS cannot determine the number of convictions the bill's provisions may generate, and by extension, the total of any resultant fine and penalty revenue.

Section: Law and Public Safety

Analyst: Kristin Brunner Santos
Lead Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 5851

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED DECEMBER 7, 2023

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblyman WILLIAM F. MOEN, JR.

District 5 (Camden and Gloucester)

SYNOPSIS

Concerns temporary registration certificates and license plates.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/14/2023)

A5851 MORIARTY, CALABRESE

2

1 AN ACT concerning temporary registration certificates and license
2 plates, amending P.L.1969, c.301 and supplementing Title 2C of
3 the New Jersey Statutes.

4

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

7

8 1. Section 1 of P.L.1969, c.301 (C.39:3-4b) is amended to read
9 as follows:

10 1. Any nonresident purchasing an automobile from a licensed
11 dealer in New Jersey which is to be principally garaged, registered,
12 and titled in another state, a federal district, or Canada, may register
13 the automobile in New Jersey on a temporary basis.

14 A temporary registration shall be made in the following manner:
15 An application in writing, signed by the applicant or by an agent or
16 officer in case the applicant is a corporation, shall be made to the
17 chief administrator or the chief administrator's lawful agent, on
18 forms prepared and supplied by the chief administrator, containing
19 the name, address, and age of the owner, together with a description
20 of the character of the automobile, including the name of the maker
21 and the manufacturer's number or the motor number, or both, and
22 any other statement that may be required by the chief administrator.
23 A temporary registration certificate shall not be issued unless the
24 licensed dealer has confirmed that the vehicle for which the
25 temporary registration is to be issued is insured in accordance with
26 the requirements of the "Motor Vehicle Security-Responsibility
27 Law," P.L.1952, c.173 (C.39:6-23 et seq.), or the corresponding
28 financial responsibility laws of the jurisdiction in which the vehicle
29 is to be titled and registered.

30 In the event that the insurance is terminated, the insurer shall
31 notify the chief administrator within 30 days, following the
32 termination.

33 Thereupon the chief administrator or licensed dealer shall have
34 the power to grant a temporary registration certificate and
35 temporary license plates to the owner of any automobile, if over 17
36 years of age, either directly or through any licensed motor vehicle
37 dealer who is not within the geographical district, application for
38 the temporary registration having been properly made and the
39 required fee paid, and the vehicle being of a type that complies with
40 the requirements of this subtitle. The form and contents of the
41 temporary registration certificate to be issued shall be prescribed by
42 the chief administrator. The chief administrator shall maintain a
43 record of all temporary registration certificates issued, and of the
44 contents thereof.

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.

1 Every temporary registration shall expire and the certificate
2 thereof shall become void on the 30th day following the date on
3 which the certificate was issued; no temporary registration shall be
4 renewed, except as a permanent registration pursuant to R.S.39:3-4,
5 and after payment of the fees prescribed therein, or as a second
6 temporary registration certificate issued pursuant to section 2 of
7 P.L.1969, c.301 (C.39:3-4c). Each licensed dealer shall remit upon
8 issuance of a second temporary registration certificate the amount
9 due to the New Jersey Motor Vehicle Commission.

10 The chief administrator shall issue temporary registration
11 certificates for the 30-day registration period, which shall be
12 effective immediately.

13 **【Any person violating the provisions of this section shall be**
14 **subject to a fine not exceeding \$100】** Upon finding that any member,
15 officer, agent, employee, or other representative of a licensed dealer
16 has violated the provisions of this section or the provisions of any rule
17 or regulation prescribed by the chief administrator related to the
18 issuance of temporary registration certificates or license plates, the
19 chief administrator shall impose a fine against the licensed dealer in
20 the amount of \$2,500 for a first offense and \$5,000 for any subsequent
21 offense , except that for the misstatement of any fact in the application
22 required to be made by the chief administrator, the person making the
23 misstatement shall be subject to the penalties provided in R.S.39:3-37.
24 The chief administrator may suspend or revoke the dealer license of a
25 dealer convicted of a violation of section 3 of P.L. , c. (C.)
26 (pending before the Legislature as this bill) or for any subsequent
27 violation of the provisions of this section or the provisions of any rule
28 or regulation prescribed by the chief administrator related to the
29 issuance of temporary registration certificates or license plates. Each
30 temporary registration certificate or license plate issued in violation
31 of the provisions of this section shall constitute a separate offense.
32 (cf: P.L.2017, c.352, s.1)

33

34 2. Section 2 of P.L.1969, c.301 (C.39:3-4c) is amended to read
35 as follows:

36 2. a. The chief administrator may prescribe rules and
37 regulations governing the issuance of temporary registration
38 certificates and temporary license plates by motor vehicle dealers,
39 motorized bicycle dealers, and the New Jersey Motor Vehicle
40 Commission and may require security in sufficient amount to
41 guarantee payment of all fees and moneys to the State of New
42 Jersey **【and, upon】** .

43 b. A licensed dealer may print one temporary license plate per
44 bona fide sale of a motor vehicle in accordance with subsection c.
45 of this section.

46 c. A licensed dealer shall print every temporary license plate
47 on reflective paper that utilizes enhanced security features for the

1 purpose of preventing forgery or duplication of the temporary
2 license plate, as established by the chief administrator.

3 In addition to any other information required by the chief
4 administrator, for every temporary license plate printed by the
5 licensed dealer, the licensed dealer shall provide the chief
6 administrator with the following information, in the form of
7 unredacted, uploaded documents:

8 (1) a copy of the front and back of the driver's license of the
9 purchaser of the motor vehicle;

10 (2) a copy of the title or manufacturer's certificate of origin
11 showing the make, model, and vehicle identification number of the
12 motor vehicle sold to the purchaser of the motor vehicle;

13 (3) proof of a bona fide sale to include, but not limited to, a
14 copy of the executed bill of sale;

15 (4) a copy of proof of insurance coverage for the motor vehicle
16 sold to the purchaser; and

17 (5) the static IP address of the printer used to print out the
18 temporary license plate.

19 d. A temporary registration certificate and license plate shall
20 only be issued for a motor vehicle listed in the issuing dealer's
21 vehicle registry.

22 e. Upon a finding that any abuse has been practiced [by any
23 licensed motor vehicle or motorized bicycle dealer], the chief
24 administrator shall have the right to suspend the dealer's privilege
25 or franchise from issuing temporary registration certificates and
26 license plates or, upon a finding that any abuse has been practiced
27 by any member, officer, agent, employee, or other representative of
28 the licensed dealer, the chief administrator shall have the right to
29 permanently prohibit that member, officer, agent, employee, or
30 other representative from obtaining a position as an owner, officer
31 or director, or employee at another licensed dealership.

32 Upon a finding that a licensed dealer has violated the provisions
33 of this section or the provisions of any rule or regulation prescribed
34 by the chief administrator related to the issuance of temporary
35 registration certificates or license plates, the chief administrator
36 shall impose a fine of \$2,500 for a first offense and \$5,000 for any
37 subsequent offense upon a licensed dealer. In addition to any fines
38 or penalties imposed under this section, the chief administrator may
39 suspend or revoke the dealer license of a dealer convicted of a
40 violation of section 3 of P.L. , c. (C.) (pending before the
41 Legislature as this bill) or for any subsequent violation of the
42 provisions of this section or the provisions of any rule or regulation
43 prescribed by the chief administrator related to the issuance of
44 temporary registration certificates or license plates. Each
45 temporary registration certificate or license plate issued in violation
46 of the provisions of this section shall constitute a separate offense.

47 f. Temporary registration certificates for vehicles to be
48 permanently registered in New Jersey or any other jurisdiction shall

1 be valid for a period of 30 days. In the event permanent registration
2 has been delayed by reason of a lost title certificate or failure of a
3 lien holder to timely turn over a certificate of title, a second
4 temporary registration certificate may be issued. A licensed motor
5 vehicle or motorized bicycle dealer shall make a record in the form
6 and manner prescribed by the chief administrator for any second
7 temporary registration certificate issued and shall pay an enhanced
8 fee to be determined by the chief administrator for each second
9 temporary registration issued. Each licensed motor vehicle or
10 motorized bicycle dealer shall annually determine the fees to be
11 paid pursuant to this section and shall remit annually under
12 certification the amount due to the New Jersey Motor Vehicle
13 Commission.

14 g. No temporary registration certificate shall be issued by a
15 licensed dealer **[hereunder]** unless the licensed dealer has
16 confirmed that the vehicle for which the temporary registration is to
17 be issued is covered by a policy of insurance in accordance with the
18 requirements of the "Motor Vehicle Security-Responsibility Law,"
19 P.L.1952, c.173 (C.39:6-23 et seq.), whether by a policy in the
20 name of the purchaser covering the vehicle or which would provide
21 coverage for the purchaser while operating the vehicle or by an
22 endorsement to a policy in the name of the licensed dealer;
23 provided, however, no permanent registration shall be issued unless
24 a policy in the name of the purchaser or someone in the purchaser's
25 household is confirmed.

26 h. A temporary registration certificate issued hereunder may be
27 issued by any employee authorized by a licensed dealer to do so;
28 however, the licensee shall be liable for the acts of any authorized
29 employee in issuing temporary registrations, whether the particular
30 unlawful acts were authorized or unauthorized.

31 i. Every applicant for a motor vehicle dealer license who
32 intends to issue temporary registration certificates and temporary
33 license plates shall include with the dealer license application a
34 separate application to issue temporary registration certificates and
35 temporary license plates. The application for approval to issue
36 temporary registration certificates and temporary license plates
37 shall be made in a form determined by the chief administrator. The
38 application for approval to issue temporary registration certificates
39 and temporary license plates shall include, but is not limited to, the
40 following:

41 (1) the name and business address of the applicant;

42 (2) proof of a current and valid dealer license;

43 (3) proof of a secure storage and printing area for the temporary
44 registration certificates and temporary license plates;

45 (4) certification of completion of a training course approved by
46 the chief administrator for the issuance of temporary registration
47 certificates and temporary license plates; and

48 (5) the application fee, as determined by the chief administrator.

1 j. A licensed dealer shall keep detailed records of every
2 temporary registration certificate and temporary license plate issued
3 by the dealer for three years in a manner prescribed by the chief
4 administrator. All records kept pursuant to the provisions of this
5 subsection shall be open to inspection by the Motor Vehicle
6 Commission at any reasonable time.

7 As used in this section:

8 “Bona fide sale” means a sale for valuable consideration made in
9 good faith and without the purpose of circumventing any law, rule,
10 or regulation.

11 “Certificate of ownership” means the document certifying
12 ownership of a motor vehicle, other than the manufacturer’s or
13 importer’s certificate of origin.

14 “Manufacturer’s or importer’s certificate of origin” means the
15 original written instrument or document required to be executed and
16 delivered by the manufacturer to the agent or a dealer, certifying the
17 origin of the vehicle.

18 “Motor vehicle title” means a title issued that documents
19 ownership of a vehicle and can be used to transfer ownership.

20 “Vehicle Registry” means a listing of motor vehicles owned by
21 the licensed dealer containing information about each motor vehicle
22 as required by the Chief Administrator of the New Jersey Motor
23 Vehicle Commission.

24 (cf: P.L.2017, c.352, s.2)

25

26 3. (New section) a. Any person who knowingly produces,
27 sells, offers, or exposes for sale a temporary registration certificate
28 or temporary license plate obtained by providing false information
29 to the Chief Administrator of the New Jersey Motor Vehicle
30 Commission is guilty of a crime of the fourth degree.

31 b. Any person who exhibits or displays on a motor vehicle a
32 temporary registration certificate or temporary license plate,
33 knowing that the temporary registration certificate or temporary
34 license plate was obtained by providing false information to the
35 Chief Administrator of the New Jersey Motor Vehicle Commission,
36 is guilty of a disorderly persons offense.

37 c. Any person who possesses a temporary registration
38 certificate or temporary license plate, knowing that the temporary
39 registration certificate or temporary license plate was obtained by
40 providing false information to the Chief Administrator of the New
41 Jersey Motor Vehicle Commission, is guilty of a petty disorderly
42 persons offense.

43 d. Any person who knowingly produces, sells, offers, or
44 exposes for sale a forged, altered, counterfeited, or simulated
45 temporary registration certificate or temporary license plate that
46 simulates a temporary registration certificate or license plate is
47 guilty of a crime of the fourth degree.

1 e. Any person who exhibits or displays on a motor vehicle a
2 falsely made, forged, altered, counterfeited, or simulated temporary
3 registration certificate or temporary license plate, knowing that the
4 temporary registration certificate or temporary license plate was
5 falsely made, forged, altered, counterfeited or simulated, is guilty of
6 a disorderly persons offense.

7 f. Any person who possesses a falsely made, forged, altered,
8 counterfeited, or simulated temporary registration certificate or
9 temporary license plate, knowing that the temporary registration
10 certificate or temporary license plate was falsely made, forged,
11 altered, counterfeited, or simulated, is guilty of a petty disorderly
12 persons offense.

13 g. Nothing in this section shall be construed to preclude or
14 limit the prosecution or conviction of any person for any other
15 crime or offense.

16

17 4. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill establishes an application process and certain security
23 procedures for licensed motor vehicle dealers seeking to provide
24 temporary license plates to buyers.

25 Under the bill, a licensed motor vehicle dealer is required to apply
26 to the Chief Administrator (chief administrator) of the New Jersey
27 Motor Vehicle Commission (commission) before the dealer is
28 permitted to issue temporary registration certificates and temporary
29 license plates. The application is to include the dealer's name and
30 business address, proof of a valid dealer license, a demonstration of a
31 secure storage and printing area, completion of an approved training
32 course, and the application fee.

33 The bill provides that for each temporary license plate requested
34 from the commission, in addition to any information required by the
35 chief administrator, the dealer is required to provide: (1) a copy of the
36 front and back of the purchaser's driver's license; (2) a copy of the
37 title or manufacturer's certificate of origin showing the make, model,
38 and the vehicle identification number of the motor vehicle sold to the
39 purchaser; (3) proof of a bona fide sale, including, but not limited to, a
40 copy of the executed bill of sale; (4) a copy of the proof of insurance
41 coverage for the motor vehicle sold to the purchaser, and (5) the static
42 IP address of the printer used to print the temporary license plate.

43 The bill requires licensed motor vehicle dealers to print temporary
44 license plates on reflective paper that utilizes enhanced security
45 features, as established by the chief administrator, for the purpose of
46 preventing forgery or duplication.

47 The bill increases penalties for licensed motor vehicle dealers who
48 violate the provisions of the bill or any rule or regulation prescribed by

1 the chief administrator related to the issuance of temporary license
2 plates and temporary registration certificates. Under the bill, a violator
3 would be liable to a penalty of \$2,500 for a first offense and \$5,000 for
4 any subsequent offense. Each temporary license plate issued in
5 violation of this bill is to constitute a separate offense. The bill grants
6 the chief administrator the discretion to permanently prohibit any
7 member, officer, agent, employee, or other representative of a licensed
8 dealer who violates the provisions of this bill from obtaining a position
9 as an owner, officer or director, or employee at another licensed
10 dealership.

11 In addition, this bill establishes: (1) a crime of the fourth degree for
12 any person who knowingly produces, sells, offers, or exposes for sale a
13 temporary license plate or temporary registration certificate obtained
14 by providing false information to the chief administrator; (2) a
15 disorderly persons offense for any person who knowingly exhibits or
16 displays or produces a temporary license plate or temporary
17 registration certificate obtained by providing false information; (3) a
18 petty disorderly persons offense for any person possessing a temporary
19 license plate or temporary registration certificate obtained by
20 providing false information; (4) a crime of the fourth degree for any
21 person who knowingly produces, sells, offers, or exposes for sale a
22 forged, altered, counterfeited, or simulated temporary registration
23 certificate or temporary license plate; (5) a disorderly persons offense
24 for any person who exhibits or displays on a motor vehicle a falsely
25 made, forged, altered, counterfeited or simulated temporary
26 registration certificate or temporary license plate, knowing that the
27 temporary registration certificate or temporary license plate was
28 falsely made, forged, altered, counterfeited or simulated; and (6) a
29 petty disorderly persons offense for any person who possesses a falsely
30 made, forged, altered, counterfeited, or simulated temporary
31 registration certificate or temporary license plate, knowing that the
32 temporary registration certificate or temporary license plate was
33 falsely made, forged, altered, counterfeited, or simulated.

34 A crime of the fourth degree is punishable by up to 18 months
35 imprisonment, a fine of up to \$10,000, or both. A disorderly persons
36 offense is punishable by up to six months imprisonment, a fine of up to
37 \$1,000, or both. A petty disorderly persons offense is punishable by
38 up to 30 days imprisonment, a fine of up to \$500, or both.

39 Under the bill, the chief administrator may suspend or revoke the
40 dealer license of a dealer who commits multiple violations of the
41 provisions of this bill or who is convicted of a criminal violation of the
42 provisions of this bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5851

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 4, 2024

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 5851.

As amended and reported, the bill establishes an application process and certain security procedures for licensed motor vehicle dealers seeking to provide temporary license plates to buyers.

Under the bill, a licensed motor vehicle dealer is required to apply to the Chief Administrator (chief administrator) of the New Jersey Motor Vehicle Commission (commission) for permission to issue temporary registration certificates and temporary license plates. The application is to include the dealer's name and business address, proof of a valid dealer license, a demonstration of a secure storage and printing area, completion of an approved training course, and the application fee.

The bill provides that for each temporary license plate requested from the commission, in addition to any information required by the chief administrator, the dealer is required to maintain in a physical file on the business premises of the licensed dealer or in an electronic file on the computer system of the licensed dealer, for a period of three years following the date that the temporary license plate is issued: (1) a copy of the front and back of the purchaser's driver's license; (2) a copy of the title or manufacturer's certificate of origin showing the make, model, and the vehicle identification number of the motor vehicle sold to the purchaser; (3) proof of a bona fide sale, including, but not limited to, a copy of the executed bill of sale; (4) a copy of the proof of insurance coverage for the motor vehicle sold to the purchaser; (5) the static IP address of the printer used to print the temporary license plate; and (6) a copy of the temporary registration certificate and temporary license plate issued to the purchaser.

Within six months of the bill's effective date, licensed motor vehicle dealers are required to print temporary license plates on paper that utilizes enhanced security features, as established by the chief administrator, for the purpose of preventing forgery or duplication. Within three months of the bill's effective date, the chief administrator is required to select and authorize the use of a specific type of security paper that does not interfere with the ability of toll monitoring systems to detect toll violations.

In addition, the bill grants the chief administrator 14 months to establish and maintain a database of information regarding motor vehicles sold or leased by any licensed dealer. The bill requires licensed dealers to enter into the vehicle registry any information required by the chief administrator. Once the chief administrator establishes the vehicle registry, a temporary registration certificate and license plate may only be issued to a licensed dealer for a motor vehicle that is listed in the vehicle registry. The bill defines “vehicle registry” to mean a database that includes the following information: a listing of motor vehicles owned, leased, or sold by the licensed dealer; any motor vehicles delivered to the licensed dealer for either wholesale or retail sale; the name and address of the buyer or lessee of the motor vehicle; the motor vehicle identification number; and any other information as required by the chief administrator.

The bill increases penalties for licensed motor vehicle dealers who violate the provisions of the bill or any rule or regulation prescribed by the chief administrator related to the issuance of temporary license plates and temporary registration certificates. Under the bill, a violator would be liable to a penalty of \$2,500 for a first offense and \$5,000 for any subsequent offense. Each temporary license plate issued in violation of this bill is to constitute a separate offense. The bill grants the chief administrator the discretion to permanently prohibit any member, officer, agent, employee, or other representative of a licensed dealer who violates the provisions of this bill from obtaining a position as an owner, officer or director, at any licensed dealership, or as an employee at any licensed dealership, if the employee’s position involves access to the computer system used to request or print temporary registration certificates or license plates.

In addition, this bill establishes: (1) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a temporary license plate or temporary registration certificate obtained by providing false information to the chief administrator; (2) a disorderly persons offense for any person who knowingly exhibits or displays a temporary license plate or temporary registration certificate obtained by providing false information; (3) a petty disorderly persons offense for any person possessing a temporary license plate or temporary registration certificate obtained by providing false information; (4) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate; (5) a disorderly persons offense for any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated; and (6) a petty disorderly persons offense for any person who possesses a falsely made, forged,

altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Under the bill, following a hearing, the chief administrator may suspend or revoke the dealer license of a dealer who commits multiple violations of the provisions of this bill or who is convicted of a criminal violation of the provisions of this bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require the licensed dealer to maintain in a physical or electronic file certain documents related to each temporary license plate printed for a period of three years;

(2) clarify that the chief administrator has the authority to prohibit any member, officer, agent, employee, or other representative who has been found to have abused the temporary license plate system from being employed by a licensed dealer in any position that involves access to the computer system used to request or print temporary license plates;

(3) provide that chief administrator or designated vendor is to implement security features to prevent a licensed dealer from printing more than one temporary license plate per bona fide sale;

(4) provide that the chief administrator has three months from the bill's effective date to select and authorize the use of a specific type of security paper for printing temporary license plates that does not interfere with the ability of toll monitoring systems to detect toll violations;

(5) clarify that within one year of the bill's effective date, a licensed dealer is to complete the training course required for approval of the dealer's application to issue temporary registration certificates and license plates;

(6) provide that the clerk of the court in which a conviction is rendered or any other person designated by the court is to forward to the chief administrator a certified copy of the conviction or a transcript;

(7) provide certain notice and other requirements for any hearing held by the chief administrator in response to a violation the bill's provisions;

(8) provide that sections three and four of the bill are to take effect immediately and that sections one and two of the bill are to take effect on the first day of the sixth month next following enactment, except

that the chief administrator may take any anticipatory administrative action necessary to implement the bill's provisions;

(9) revise the definition of "vehicle registry" to mean a database established and maintained by the chief administrator that includes the following information: a listing of motor vehicles owned, leased, or sold by the licensed dealer; any motor vehicles delivered to the licensed dealer for either wholesale or retail sale; the name and address of the buyer or lessee of the motor vehicle; the motor vehicle identification number; and any other information required by the chief administrator;

(10) require the chief administrator to establish and maintain a vehicle registry within 14 months following the bill's effective date;

(11) require a licensed dealer to enter into the vehicle registry any information required by the chief administrator;

(12) provide that following the establishment of the vehicle registry by the chief administrator, a temporary registration certificate and license plate only be issued to a licensed dealer for a motor vehicle that is listed in the vehicle registry; and

(13) make certain technical and clarifying changes.

FISCAL IMPACT:

The Office of Legislative Services (OLS) anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.

The OLS further notes that the bill will increase annual State and municipal revenue collections from fine and penalty payments from convicted violators of new and expanded statutory provisions. The bill increases the fine for violations related to temporary registration certificates and licenses plates from \$100 to \$2,500 for the first offense and \$5,000 for subsequent offenses. The bill also imposes the penalties for fourth-degree crimes, disorderly persons offenses, and petty disorderly persons offenses. A fourth-degree crime is punishable by up to 18 months of imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5851
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JANUARY 5, 2024

SUMMARY

- Synopsis:** Concerns temporary registration certificates and license plates.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** New Jersey Motor Vehicle Commission; Department of Law and Public Safety; State, county, and municipal Law Enforcement; Administrative Office of the Courts; Superior Court.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State and Local Expenditure Increases	Indeterminate
State and Local Revenue Increases	Indeterminate

- The Office of Legislative Services (OLS) anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill’s provisions and finds the bill’s establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor’s offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.
- The OLS further notes that the bill will increase annual State and municipal revenue collections from fine and penalty payments from convicted violators of new and expanded statutory provisions. The bill increases the fine for violations related to temporary registration certificates and license plates from \$100 to \$2,500 for the first offense and \$5,000 for subsequent offenses. The bill also imposes the penalties for fourth-degree crimes, disorderly persons offenses, and petty disorderly persons offenses. A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

BILL DESCRIPTION

This bill establishes an application process and certain security procedures for licensed motor vehicle dealers seeking to provide temporary license plates to buyers.

Under the bill, a licensed motor vehicle dealer is required to apply to the New Jersey Motor Vehicle Commission before the dealer is permitted to issue temporary registration certificates and temporary license plates. The bill requires the Motor Vehicle Commission to establish a vehicle registry for licensed motor vehicle dealers to upload information as required by the provisions of this bill.

The bill requires that for each temporary license plate requested from the Motor Vehicle Commission, in addition to any information required by the Chief Administrator of the Motor Vehicle Commission, the dealer is to collect certain information from the purchaser as well as additional documentation and maintain that documentation for three years. The bill requires licensed motor vehicle dealers to print temporary license plates on certain paper, as established by the commission.

The bill increases penalties for licensed motor vehicle dealers who violate the provisions of the bill or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary license plates and temporary registration certificates. Under the bill, a violator would be liable to a penalty of \$2,500 for a first offense and \$5,000 for any subsequent offense. Currently, the penalty is \$100. Each temporary license plate issued in violation of this bill is to constitute a separate offense. The bill grants the chief administrator the discretion to permanently prohibit any member, officer, agent, employee, or other representative of a licensed dealer who violates the provisions of this bill from obtaining a position as an owner, officer or director, or employee at any licensed dealership.

In addition, this bill establishes:

1) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a temporary license plate or temporary registration certificate obtained by providing false information to the Motor Vehicle Commission;

2) a disorderly persons offense for any person who knowingly exhibits or displays or produces a temporary license plate or temporary registration certificate obtained by providing false information;

3) a petty disorderly persons offense for any person possessing a temporary license plate or temporary registration certificate obtained by providing false information;

4) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate;

5) a disorderly persons offense for any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated; and

6) a petty disorderly persons offense for any person who possesses a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated.

A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Under the bill, the Motor Vehicle Commission may suspend or revoke the dealer license of a dealer who commits multiple violations of the provisions of this bill or who is convicted of a criminal violation of the provisions of this bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.

The OLS further notes that the bill will increase annual State and municipal revenue collections from fines and penalties by indeterminate amounts.

Expenditure Increases: The OLS anticipates that the Motor Vehicle Commission will expend resources initially to adopt the provisions in the bill, especially the establishment of the licensed dealer vehicle registry. The bill's expansion of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will increase the workload of the Division of Criminal Justice in the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and municipal courts, as additional defendants will be prosecuted and tried. The Superior Court adjudicates crimes of the fourth degree. Disorderly person offenses and petty disorderly persons are adjudicated by municipal courts, in most circumstances. Depending on the resource allocation policies of the commission and court, the added initial workload may or may not augment State administrative expenditures.

A presumption of non-incarceration generally applies to first-time offenders of crimes of the fourth degree and disorderly persons cases. Repeat offenders, however, could be incarcerated. The OLS notes that to the extent that the bill will result in additional incarcerations, according to an informal estimate provided by the Department of Corrections, the average annual cost of housing an inmate in a State correctional facility is \$75,574. The cost was based on FY 2023 actual expenditures and is an average of all facilities. The OLS, however, cannot project the number of future prosecutions, trials, and incarcerations related to the crimes established by the bill. Any additional State cost from the expansion of the law may be offset, in part, by criminal fines and penalties imposed by the courts on persons convicted of having violated the expanded law; however, the State's ability to collect criminal fines and penalties has historically been limited.

Revenue Gains: Additional indeterminate annual State and municipal revenue will accrue from fine and penalty payments from convicted violators of new and expanded statutory provisions.

Fine payments: The Administrative Office of the Courts indicated that in calendar year 2022, there were 56 violations of section 1 of P.L.1989, c.301 and 16 convictions. In calendar year 2019

there were 53 violations and 12 convictions. The current fine for a conviction is \$100. Under the bill, this fine would increase to \$2,500 for the first offense and \$5,000 for subsequent offenses. Hypothetically, the increase in revenue from this fine would be between \$38,400 and \$78,400 annually depending on whether a conviction was for a first or subsequent offense.

Penalty payments: This bill establishes penalties for various offenses related to the temporary registration certificates and license plates. In establishing new fourth-degree crime, disorderly persons, and petty disorderly persons offenses, the bill creates the potential for recurring State and municipal revenue gains.

Under the bill, it would be a fourth-degree crime for any person to knowingly produce, sell, offer, or expose for sale a temporary license plate or temporary registration certificate obtained by providing false information to the chief administrator and for any person to knowingly produce, sell, offer, or expose for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate. Fourth-degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

Under the bill, it would be a disorderly persons offense for any person to knowingly exhibit, display, or produce a temporary license plate or temporary registration certificate obtained by providing false information and for any person to exhibit or display on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated. A disorderly persons offense is punishable by up to six months' imprisonment, a fine of up to \$1,000, or both. Disorderly person offenses are adjudicated by municipal courts, in most circumstances.

Under the bill it would be a petty disorderly persons offense for any person to possess a temporary license plate or temporary registration certificate obtained by providing false information and for any person to possess a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Typically, pursuant to State law, all fines and penalties imposed as a result of a conviction for a disorderly persons, petty disorderly persons, or other crime in a municipal court, that are not otherwise exempted by that statute, are retained by the municipality, unless the municipal court was a central municipal court, in which case the county retains the funds.

The OLS cannot determine the number of convictions the bill's provisions may generate, and by extension, the total of any resultant fine and penalty revenue.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Lead Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5851

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JANUARY 11, 2024

SUMMARY

- Synopsis:** Concerns temporary registration certificates and license plates.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** New Jersey Motor Vehicle Commission; Department of Law and Public Safety; State, county, and municipal Law Enforcement; Administrative Office of the Courts; Superior Court.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State and Local Expenditure Increases	Indeterminate
State and Local Revenue Increases	Indeterminate

- The Office of Legislative Services (OLS) anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.
- The OLS further notes that the bill will increase annual State and municipal revenue collections from fine and penalty payments from convicted violators of new and expanded statutory provisions. The bill increases the fine for violations related to temporary registration certificates and license plates from \$100 to \$2,500 for the first offense and \$5,000 for subsequent offenses. The bill also imposes the penalties for fourth-degree crimes, disorderly persons offenses, and petty disorderly persons offenses. A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

BILL DESCRIPTION

This bill establishes an application process and certain security procedures for licensed motor vehicle dealers seeking to provide temporary license plates to buyers.

Under the bill, a licensed motor vehicle dealer is required to apply to the New Jersey Motor Vehicle Commission for permission to issue temporary registration certificates and temporary license plates. The bill requires the Motor Vehicle Commission to establish a vehicle registry for licensed motor vehicle dealers to upload information as required by the provisions of this bill.

The bill requires that for each temporary license plate requested from the Motor Vehicle Commission, in addition to any information required by the Chief Administrator of the Motor Vehicle Commission, the dealer is to collect certain information from the purchaser as well as additional documentation and maintain that documentation for three years. The bill requires licensed motor vehicle dealers to print temporary license plates on certain paper, as established by the commission.

The bill increases penalties for licensed motor vehicle dealers who violate the provisions of the bill or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary license plates and temporary registration certificates. Under the bill, a violator would be liable to a penalty of \$2,500 for a first offense and \$5,000 for any subsequent offense. Currently, the penalty is \$100. Each temporary license plate issued in violation of this bill is to constitute a separate offense. The bill grants the chief administrator the discretion to permanently prohibit any member, officer, agent, employee, or other representative of a licensed dealer who violates the provisions of this bill from obtaining a position as an owner, officer or director, or employee at any licensed dealership.

In addition, this bill establishes:

1) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a temporary license plate or temporary registration certificate obtained by providing false information to the Motor Vehicle Commission;

2) a disorderly persons offense for any person who knowingly exhibits or displays or produces a temporary license plate or temporary registration certificate obtained by providing false information;

3) a petty disorderly persons offense for any person possessing a temporary license plate or temporary registration certificate obtained by providing false information;

4) a crime of the fourth degree for any person who knowingly produces, sells, offers, or exposes for sale a forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate;

5) a disorderly persons offense for any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated; and

6) a petty disorderly persons offense for any person who possesses a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited, or simulated.

A fourth-degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by up to 30 days imprisonment, a fine of up to \$500, or both.

Under the bill, the Motor Vehicle Commission may suspend or revoke the dealer license of a dealer who commits multiple violations of the provisions of this bill or who is convicted of a criminal violation of the provisions of this bill. The clerk of the court where the conviction is rendered is to forward a copy of the conviction or a transcript to the Motor Vehicle Commission.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates an initial State expenditure by the Motor Vehicle Commission to implement the bill's provisions and finds the bill's establishment of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will expand the workload of the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and Superior and municipal courts, as additional defendants will be prosecuted and tried.

The OLS further notes that the bill will increase annual State and municipal revenue collections from fines and penalties by indeterminate amounts.

Expenditure Increases: The OLS anticipates that the Motor Vehicle Commission will expend resources initially to adopt the provisions in the bill, especially the establishment of the licensed dealer vehicle registry. The bill's expansion of crimes of the fourth degree, disorderly persons offenses, and petty disorderly persons offenses will increase the workload of the Division of Criminal Justice in the Department of Law and Public Safety, county prosecutor's offices, the Administrative Office of the Courts, and municipal courts, as additional defendants will be prosecuted and tried. The Superior Court adjudicates crimes of the fourth degree. Disorderly person offenses and petty disorderly persons are adjudicated by municipal courts, in most circumstances. Depending on the resource allocation policies of the commission and court, the added initial workload may or may not augment State administrative expenditures.

A presumption of non-incarceration generally applies to first-time offenders of crimes of the fourth degree and disorderly persons cases. Repeat offenders, however, could be incarcerated. The OLS notes that to the extent that the bill will result in additional incarcerations, according to an informal estimate provided by the Department of Corrections, the average annual cost of housing an inmate in a State correctional facility is \$75,574. The cost was based on FY 2023 actual expenditures and is an average of all facilities. The OLS, however, cannot project the number of future prosecutions, trials, and incarcerations related to the crimes established by the bill. Any additional State cost from the expansion of the law may be offset, in part, by criminal fines and penalties imposed by the courts on persons convicted of having violated the expanded law; however, the State's ability to collect criminal fines and penalties has historically been limited.

Revenue Gains: Additional indeterminate annual State and municipal revenue will accrue from fine and penalty payments from convicted violators of new and expanded statutory provisions.

Fine payments: The Administrative Office of the Courts indicated that in calendar year 2022, there were 56 violations of section 1 of P.L.1989, c.301 and 16 convictions. In calendar year 2019, there were 53 violations and 12 convictions. The current fine for a conviction is \$100. Under the bill, this fine would increase to \$2,500 for the first offense and \$5,000 for subsequent offenses. Hypothetically, the increase in revenue from this fine would be between \$38,400 and \$78,400 annually depending on whether a conviction was for a first or subsequent offense.

Penalty payments: This bill establishes penalties for various offenses related to the temporary registration certificates and license plates. In establishing new fourth-degree crime, disorderly persons, and petty disorderly persons offenses, the bill creates the potential for recurring State and municipal revenue gains.

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Governor Murphy Takes Action on Legislation

01/16/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

SCS for S-281/ACS for A-3791 (Greenstein, Turner/Sumter, Reynolds-Jackson) – w/STATEMENT - Concerns automatic fire sprinkler systems within newly constructed townhouses
[Copy of Statement](#)

S-539wGR/A-2140 (Ruiz, Pou/Reynolds-Jackson, Wimberly, Mosquera) - Permits online purchase of eligible foods using WIC funds and use of WIC funds for grocery delivery ch

S-659/A-2014 (Oroho, Greenstein/Conaway, Wirths, Umba) - "Manufacturing in Higher Education Act"; requires various State entities to promote manufacturing career pathways students and provides assistance to manufacturing industry

S-1110/A-3936 (Polistina, Singleton/Guardian, Swift, McClellan) - Authorizes CRDA to finance transportation projects between Atlantic City Airport and Atlantic City Tourism Dis

S-1662/A-3526 (Ruiz, Codey/Lampitt, Benson, Sauickie) - Requires NJ Youth Suicide Prevention Advisory Council to prepare report regarding suicide prevention instruction in pu schools

S-1680wGR/A-2257 (Pou, Ruiz/Murphy, Quijano, Wimberly) - Designates each community college in State as provider of allowable services under SNAP employment and training program

S-2076/ACS for A-3319 (Zwicker, Greenstein/McKnight, Lampitt) - Establishes "Twelfth Grade Postsecondary Transition Year Pilot Program" in Department of Education

S-2535wGR/A-4048 (Polistina, Pou/Benson, McKnight, Reynolds-Jackson, Carter) - Requires health benefits coverage of hearing aids and cochlear implants

S-2841/A-4292 (Scutari, Bramnick/Carter) - Raises minimum amount of liability coverage for commercial motor vehicles and autocabs

SCS for S-3080/ACS for-398 (Ruiz, Burgess/Caputo, Giblin, Tucker) - Establishes position of Youth Disconnection Prevention and Recovery Ombudsperson; establishes "School Disconnection Prevention Task Force"; appropriates \$200,000

S-3102/A-4715 (Smith, Singleton/Stanley, Benson) - Establishes uptime requirement for electric vehicle charging station incentive programs

S-3176/A-4760 (Greenstein, Smith/Swain, Haider, Tully) - Requires DEP and Drinking Water Quality Institute to perform study concerning regulation and treatment of perfluoroalkyl and polyfluoroalkyl substances

SCS for S-3632 and 3649w/GR/ACS for A-1948 (Johnson, Cryan/Haider, Conaway, Quijano) - Requires labeling of non-flushable disposable wipes

S-3758/A-5343 (Cryan/Karabinchak) - Changes deadline for unaffiliated mail-in voters to declare their political party before primary election

S-3837/A-5438 (Pou, Cruz-Perez/Pintor Marin, Wimberly) - Clarifies process for administrative appropriations to UEZs

S-3897/A-5578 (Ruiz, Sarlo/Jasey, Carter, Reynolds-Jackson) - Authorizes Higher Education Student Assistance Authority to award annual summer tuition aid grants

S-4040/A-5881 (Polistina, Lagana/Tully, Guardian, Swift) - Concerns jurisdiction and operations of regional municipal courts

S-4084/A-5851 (Ruiz, Cruz-Perez/Moriarty, Calabrese, Moen) - Concerns temporary registration certificates and license plates

S-4130/A-5849 (Codey/Jasey, Tucker) - Special legislation to change name of "Township of South Orange Village" to "South Orange Village"; changes titles of certain municipal officials; permits nonpartisan municipal elections to be moved to November; permits stipend for governing body members

S-4206/A-5856 (Sarlo/Calabrese) - Changes number of signatures required on primary election petition to nominate certain municipal candidates in certain municipalities

S-4209/A-5879 (Sarlo/Pintor Marin) - Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap

S-4268/A-5911 (Scutari/Danielsen) - Permits certain special State officers to represent cannabis businesses

A-203/S-2884 (Rooney, Benson, Caputo/A.M. Bucco) - Authorizes creation of special license plates commemorating horse as State animal

A-1100/S-995 (Calabrese, Mukherji, McKnight/Ruiz, Stack) - Requires entities to remove abandoned lines and mark information on certain lines

A-1107/S-770 (Chaparro, Murphy, Mukherji/Pou, Beach) - Directs Chief Technology Officer to conduct study on impacts of redacting handwritten signatures published on State websites; allows for protocols for such redactions to be established by rules and regulations

ACS for A-1255/SS for S-1794 (Stanley, Conaway, Benson/Gopal, Singer) - Updates requirements and standards for authorization and prior authorization of health care services

A-1727/S-3300 (Speight, Reynolds-Jackson, Verrelli/Stanfield, Ruiz) - Requires Attorney General to perform outreach and provide services to victims of human trafficking under certain circumstances

A-1729/S-3550 (Speight, Reynolds-Jackson, McKnight/Greenstein, Ruiz) - Requires AG to address human trafficking in underserved communities

A-1755/S-2505 (McKeon, Calabrese, Conaway/Smith, Greenstein) - Requires installation of operational automatic rain sensor or smart sprinkler as condition of sale of certain properties, and on certain commercial, retail, and industrial properties and common interest communities within specified timeframes

A-2146wGR/S-855 (Reynolds-Jackson, Wimberly, Sumter/Singleton, Beach) - Creates State business assistance program to establish contracting agency procurement goals for socially and economically disadvantaged business enterprises

A-2581/S-2503 (Lampitt, Park/Beach) - Provides that certain cosmetology and hairstyling courses may be taught using distance learning technology

A-3142/S-1564 (Moen, Moriarty, Benson/Singleton, Corrado) - Authorizes grants to purchase and rehabilitate abandoned homes for homeless veterans

A-3211/S-2302 (Speight, Haider, Swain/Gopal, Ruiz) - Establishes "New Jersey Feminine Hygiene Products for the Homeless Act"

A-3980/S-2706 (Speight, McKnight, Atkins/Zwicker, Turner) - Grants child placed in resource family care and resource family parents the right to be notified when case manager

supervisor is assigned to child; grants child in resource family care right to be notified of certain property and benefits

A-4033wGR/S-2657 (Coughlin, Wimberly/Sarlo, Ruiz) - Extends deadline for completion of school district's annual audit

A-4049/S-3495 (McKnight, Reynolds-Jackson, Benson/Vitale, Johnson) - Provides for presumptive eligibility for home and community-based services and services provided thru program of all-inclusive care for the elderly under Medicaid

A-4105/S-4202 (Lopez, Jimenez, Quijano/Vitale, Turner) - Establishes Interagency Council on Homelessness

A-4183/S-4264 (Haider/Singleton) - Concerns local unit filing requirement for certain shared services agreements

A-4212/S-2762 (Pintor Marin, Reynolds-Jackson, Verrelli/Ruiz, Cunningham) - Establishes Center for Career Relevant Education and Talent Evaluation of New Jersey at Thomas Edison State University

A-4337/S-4156 (Conaway, Atkins, Rooney/Singleton, Pou) - Requires Department of Health to provide information to Statewide 2-1-1 telephone system regarding the location of disposal sites for hypodermic syringes and needles and prescription drugs

ACS for A-4496/SCS for S-3247 (Coughlin, Lampitt, Karabinchak, Wimberly/Zwicker, Greenstein) - Revises various provisions of law governing construction of school facilities projects and operations of New Jersey Schools Development Authority; establishes "Charter School and Renaissance School Project Facilities Loan Program" in EDA

A-4522/S-3234 (Moen, McKnight, Quijano/Singer, Singleton) - Requires certain disclosures by sellers of single-family homes with solar panels installed

A-4691/S-1530 (Swain, DeAngelo, Speight/Greenstein, Zwicker) - Requires hazard mitigation plans to include climate change-related threat assessments and hazard prevention mitigation strategies

A-4723/S-2740 (McKeon, Moriarty, Rooney/Codey, Scutari) - Requires motor vehicle dealer to offer to delete personal information in motor vehicles in certain situations

A-4791/S-3184 (Kennedy, Haider, McKeon/Diegnan, Sarlo) - Establishes "Resiliency and Environmental System Investment Charge Program"

ACS for A-4794/S-3224 (Benson, Mukherji/Singleton, Turner) - Requires request for proposal to establish demonstration projects to develop electric vehicle charging depots served by distributed energy resource charging centers for certain electric vehicle use

A-4814/S-1023 (Moen, Wimberly/Singleton, Gopal) - Removes expected family contribution from calculation of financial need under circumstances in which public institutions or higher education may reduce student's institutional financial aid

ACS for A-4821 and 4823wGR/S-3283 (Karabinchak, Conaway, Schaer/Greenstein, Zwicker) - Directs DEP to take certain actions concerning identification and testing of microplastics in drinking water, and requires DEP and BPU to study and promote use of microplastics removal technologies

A-4955/S-3531 (S. Kean, Thomson/Singer, Gopal) - Designates portion of State Highway Route 71 as "John Tarantino Highway"

A-5094/S-3476 (Spearman/Beach, Greenstein) - Concerns licensing of security officer companies

A-5227/S-3662 (Danielsen, Space/Smith, Oroho) - Expands eligibility for "fishing buddy license" fee

A-5285/SCS for S-3708 (Greenwald, Haider, Lopez/Greenstein, A.M. Bucco) - Requires copies of certain law enforcement records to be provided to victims of domestic violence upon request

A-5293/S-3746 (Greenwald, McKnight, Rooney/Gopal, Ruiz) - Concerns New Jersey Civic Information Consortium

A-5311/S-3061 (Verrelli, McKnight, Matsikoudis/Stanfield, Turner) - Enters New Jersey into Counseling Compact

A-5391/S-3765 (DeAngelo/Diegnan, Corrado) - Imposes conditions on drivers approaching disabled vehicles

A-5412/S-3850 (Greenwald, Swain, Jasey/Gopal, Singer) - Establishes nonpublic school transportation program to provide funding to consortiums of nonpublic schools that will assume responsibility for mandated nonpublic school busing

A-5416wGR/S-3883 (Wimberly, Giblin, Haider/Greenstein, Turner) - Requires State Board of Education to authorize alternate route to expedite teacher certification of persons employed as paraprofessionals in school districts

A-5442/S-3793 (Karabinchak, Conaway, McKeon/Smith, Greenstein) - Directs BPU to conduct study to determine feasibility, marketability, and costs of implementing large-scale geothermal heat pump systems in State

A-5462/S-3867 (Coughlin, McKnight, Speight/Vitale, Turner) - Revises law establishing Office of Food Security Advocate, and establishes certain conditions for use of monies appropriated to emergency food organizations

ACS for A-5495/SCS for S-3846 (Danielsen/Scutari, A.M. Bucco) - Clarifies types of firearms allowed to be carried or transported while hunting

A-5516/S-4047 (Reynolds-Jackson, Verrelli, Conaway/Burgess, Turner) - Requires certain health care professionals to undergo bias training

A-5565/S-3971 (S. Kean, Thomson/Gopal) - Provides that 10-year term does not apply to lease of certain municipal properties unless they are waterfront properties or related to waterfront concessions

A-5567/S-3807 (Torrissi, Calabrese/A.M. Bucco, Sarlo) - Extends period of usefulness of fire engines for bonding purposes from 10 to 20 years; eliminates exclusion of passenger cars and station wagons

A-5582/S-3781 (Swain, Simonsen/Lagana, Cryan) - Establishes grant program for NJ YouthBuild programs through DOLWD; makes appropriation

A-5610wGR/S-3954 (Greenwald, Spearman, Chaparro/Beach, A.M. Bucco) - Revises penalties for possession or consumption of alcoholic beverages by underage persons

A-5748/S-4166 (Spearman, Moen, Moriarty/Cruz-Perez, Madden) - Amends definition of "participating county" under County Option Hospital Fee Program

A-5755/S-4183 (Carter, Sumter, Wimberly, Quijano/Scutari, Singleton) - Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition

A-5799/S-1472 (Moen, Moriarty/Beach, Stack) - Authorizes DOT to establish and administer toll collection and enforcement system on behalf of NJ toll authorities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states

A-5806/S-4165 (Moriarty, Sauickie/Greenstein, Oroho) - Appropriates \$48 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreational and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-5807/S-4138 (Freiman/Johnson, Schepisi) - Appropriates \$58 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-5808/S-4135 (Park, Freiman, Lopez/Beach, Turner) - Appropriates \$15,564,293 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

A-5809/S-4097 (Swain, Lopez, Sauickie/Zwicker, Gopal) - Amends lists of projects eligible to receive loans for environmental infrastructure projects from NJ Infrastructure Bank FY 2024

A-5810/S-4098 (Sampson, Sauickie, Lopez/Greenstein, Stanfield) - Amends lists of environmental infrastructure projects approved for long-term funding by DEP under FY 2024 environmental infrastructure funding program

A-5828/S-4201 (Lopez/Vitale) - Authorizes State Treasurer to sell as surplus certain real property and improvements in Township of Woodbridge in Middlesex County

A-5835/S-4134 (Greenwald, Lampitt/Beach, Turner) - Authorizes regional authority to develop and operate regional rehabilitation and reentry center

A-5836/S-4212 (DeAngelo, Sumter, Wimberly/Gopal, Greenstein) - Makes supplemental appropriation of \$650,000 to New Jersey Division of State Police for trooper recruitment retention

A-5910/S-4266 (Egan/Codey) - Increases annual salary of certain public employees and officers

AJR-200/SJR-138 (Park, Freiman, Calabrese/Lagana) - Designates November 22 of each year as Kimchi Day

Governor Murphy pocket vetoed the following bills:

S-2989/A-1739 (Pou, Singer/McKeon, Quijano, Flynn) - Makes certain for-profit debt adjusters eligible for licensing to conduct business in State

S-3172/A-4689 (Gopal, Turner/Lampitt, Matsikoudis, McKnight) - Establishes teacher certification route for candidates with Montessori teaching credentials

S-3287/ACS for A-4852 and 1170 (Turner/Reynolds-Jackson, Jasey, Dunn, Wimberly, Calabrese, Spearman, Verrilli) - Requires institutions of higher education to maintain support policy governing use of naloxone hydrochloride nasal spray for opioid overdose emergencies

A-1476/S-930 (Benson, Dancer/Holzapfel, Diegnan) - Exempts certain motor vehicles that are owned by certain nutrition programs and certain nonprofit organizations that offer social services from motor vehicle registration fees

A-3642/S-665 (Wirhiths, Murphy, Benson, Oroho/Greenstein) - Requires MVC to place designation on motor vehicle's registration information indicating registrant is deaf

A-3945/S-1660 (Quijano, Reynolds-Jackson, Carter/Ruiz, Singleton) - Establishes "Male Teachers of Color Mentorship Pilot Program"; appropriates \$95,000

A-4177/S-2478 (Mosquera, Swain, McKnight, Tucker, Dunn/Ruiz, Vitale) - Extends duration of law requiring certain provider subsidy payments for child care services be based on enrollment

A-4396/S-2927 (Lampitt, Jasey, Caputo/Codey) - Establishes timelines for review and approval by Commissioner of Education of annual certified audits submitted by approved private schools for students with disabilities

A-4621/S-3156 (Mosquera, Greenwald, Swain/Madden) - Requires issuance of report on certain information and data on processing of applications for professional and occupational licenses and mandates review of training and call intake in Division of Consumer Affairs.

A-4740/S-2970 (Mukherji, DeAngelo, McKnight/Cruz-Perez, Turner) - Provides employee access to employee's employment records on file with DOLWD

A-5294/S-1825 (Greenwald, Swain, Rooney/Steinhardt, Sarlo, Doherty) - Exempts sales of investment metal bullion and investment coins from sales and use tax

A-5893/S-4228 (Karabinchak, Calabrese, Sauickie/Gopal, Sarlo) - Extends annual horse racing purse subsidies through State fiscal year 2029