

39:10A-1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:10A-1 (Abandoned vehicles-- public agencies report)

LAWS OF: 1989 **CHAPTER:** 66

BILL NO: S3124

SPONSOR(S): Contillo

Date Introduced: December 19, 1988

Committee: **Assembly:** Law, Public Safety and Corrections

Senate: Law, Public Safety and Defense

Amended during passage: No

Date of Passage: **Assembly:** February 27 1989

Senate: January 23, 1989

Date of Approval: April 14, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

RDV

1 **AN ACT** concerning abandoned motor vehicles and amending
P.L. 1964, c.81.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the
5 *State of New Jersey*:

6 1. Section 1 of P.L.1964, c.81 (C.39:10A-1) is amended to read
7 as follows:

8 1. a. When the State or any county, county park commission,
9 municipality or any authority created by any thereof, hereinafter
referred to as a "public agency," shall have taken possession of a
11 motor vehicle found abandoned, such taking of possession shall be
reported immediately to (1) the Director of the Division of Motor
13 Vehicles on a form prescribed by him, for verification of
ownership and (2) the National Automobile Theft Bureau.

15 b. When such motor vehicle which has been ascertained not to
be stolen and to be one which can be certified for a junk title
17 certificate under section 3 of P.L.1964, c.81 (C.39:10A-3) shall
have remained unclaimed by the owner or other person having a
19 legal right thereto for a period of 15 business days, even if at
that time the owner has not been identified as a result of efforts
21 to make identification by the public agency or the Division of
Motor Vehicles, the same may be sold at auction in a public
23 place. If the certified motor vehicle is sold at auction prior to
identification of the owner, the public agency shall document the
25 condition of the motor vehicle in writing and with photographs
prior to the sale; document the amount obtained from the sale of
27 the motor vehicle; and notify the owner, if his name and address
are identified after the sale, of the actions taken by the public
29 agency to dispose of the motor vehicle.

30 c. When a motor vehicle which cannot be certified for a junk
31 title certificate under section 3 of P.L.1964, c.81 (C.39:10A-3)
remains unclaimed by the owner or other person having a legal
33 right thereto for a period of 20 business days, the motor

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 vehicle may be sold at auction in a public place, but shall be sold
2 no later than 90 business days after the public agency takes
3 possession of the vehicle, except that a waiver of the 90-day
4 limit may be obtained for good cause from the Division of Local
5 Government Services in the Department of Community Affairs.

6 d. The public agency shall give notice of a sale conducted
7 pursuant to subsection b. or c. of this section, by certified mail,
8 to the owner, if his name and address be known and to the holder
9 of any security interest filed with the director, and by publication
10 in a form to be prescribed by the director by one insertion, at
11 least five days before the date of the sale, in one or more
12 newspapers published in this State and circulating in the
13 municipality in which such motor vehicle is held.

(cf: P.L.1987, c.127, s.5)

14 2. This act shall take effect immediately.

17

STATEMENT

19

20 This bill amends section 1 of P.L.1964, c.81 (C.39:10A 1) to
21 require public agencies to notify the National Automobile Theft
22 Bureau whenever they take possession of an abandoned motor
23 vehicle.

24 The National Automobile Theft Bureau, which has its Eastern
25 Division in Woodbury, NY, is a non-profit organization engaged in
26 motor vehicle loss prevention. The bureau maintains a
27 computerized program containing reports of stolen or abandoned
28 motor vehicles throughout the United States. In 1985, the
29 bureau's files contained more than 9.2 million reports which were
30 available to law enforcement agencies and insurance companies
31 investigating claims involving stolen or abandoned motor
32 vehicles. The availability of such information is essential not
33 only to facilitate the successful investigation of motor vehicle
34 thefts, but also to frustrate and prevent insurance fraud
35 schemes. The reporting requirement set forth in this bill will
36 ensure our State's participation in this program and thus assure
37 that the bureau's information base is up-to-date and accurate.

38 Under current law, public agencies are only required to notify
39 the Director of the Division of Motor Vehicles when they take

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3 MOTOR VEHICLES

Motor Vehicles - License and Registration

5

Requires public agencies to report the finding of abandoned
7 motor vehicles to the National Automobile Theft Bureau.

ASSEMBLY LAW, PUBLIC SAFETY AND CORRECTIONS
COMMITTEE

STATEMENT TO

SENATE, No. 3124

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 1988

The Assembly Law Public Safety and Corrections Committee favorably reports Senate Bill No. 3124.

This bill amends section 1 of P.L.1964, c.81 (C.39:10A-1) to require public agencies to notify the National Automobile Theft Bureau whenever they take possession of an abandoned motor vehicle. Under current law, public agencies are only required to notify the Director of the Division of Motor Vehicles when they take possession of an abandoned motor vehicle. For purposes of the bill, a public agency is any State or any county, county park commission, municipality, or any authority created by any of these.

The National Automobile Theft Bureau, which has its Eastern Division in Woodbury, NY, is a non-profit organization engaged in motor vehicle loss prevention. The bureau maintains a computerized program containing reports of stolen or abandoned motor vehicles throughout the United States. In 1985, the bureau's files contained more than 9.2 million reports which were available to law enforcement agencies and insurance companies investigating claims involving stolen or abandoned motor vehicles. The availability of such information is essential not only to facilitate the successful investigation of motor vehicle thefts, but also to frustrate and prevent insurance fraud schemes. The reporting requirement set forth in this bill will ensure our State's participation in this program and thus assure that the bureau's information base is up-to-date and accurate.

Senate Bill No. 3124 is identical to Assembly Bill No. 4088.

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 3124

STATE OF NEW JERSEY

DATED: JANUARY 12, 1989

The Senate Law, Public Safety and Defense Committee reports favorably Senate Bill No. 3124.

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Under current law, public agencies are only required to notify the Director of the Division of Motor Vehicles when they take possession of an abandoned motor vehicle.