

54:39A-10

LEGISLATIVE HISTORY CHECKLIST

NJSA: 54: 39A-10

(Motor vehicle
user ID markers--
reduce fees)

LAWS OF: 1989

CHAPTER: 116

Bill No: A3802

Sponsor(s): Miller

Date Introduced:

Committee: Assembly: October 13, 1988

Senate: Transportation & Communications

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: March 20, 1989

Senate: May 22, 1989

Date of Approval: June 29, 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

See newspaper clipping--attached:

"New law imposes fees for N.J. trucker permits," 7-1-89 Trenton Times

[FIRST REPRINT]
ASSEMBLY, No. 3802

STATE OF NEW JERSEY

INTRODUCED OCTOBER 13, 1988

By Assemblyman MILLER

1 AN ACT reducing certain fees charged for motor fuels markers
and permits, and amending P.L.1963, c.44.

3

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

1. Section 10 of P.L.1963, c.44 (C.54:39A-10) is amended to
7 read as follows:

10. The director shall issue to every user a motor fuels user
9 identification card, which shall be safely preserved in the user's
offices for as long as the card is valid. The user shall place a
11 photographic copy of said card in the cab of each motor vehicle
used in his operations. The director shall also issue for each
13 vehicle operated by the user an identification marker, which shall
be affixed to the vehicle in such manner as shall be prescribed by
15 the director. The fee for each original such marker and any
replacement marker shall be [\$25.00] ¹[\$1] \$5¹. Every
17 identification card and marker shall remain the property of the
State and may be recalled for any violation of this act or of the
19 regulations promulgated hereunder, or for failure to pay any
monies due the State under this act or any other law administered
21 by the director. Identification cards and markers shall be issued
on an annual basis as of April 1 of the year and shall be valid
23 through the next succeeding March 31. The form and content of
the card and marker shall be as prescribed by the director. Any
25 card and marker issued pursuant to this act may be deemed by
the director as satisfying the equivalent requirements of any
27 other law administered by him, and any marker and card issued by
him pursuant to any other law, regulation, reciprocity agreement
29 or arrangement, or declaration may be deemed as satisfying the
equivalent requirements of this act. It shall be illegal to operate
31 or cause to be operated in this State any motor vehicle, unless
the vehicle bears the identification marker and carries the

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:

¹ Assembly ATC committee amendments adopted January 23, 1989.

1 copy of the identification card required by this section; provided,
however, that upon the request of a user the director may issue
3 by mail or telecommunication a permit valid for the operation of
a vehicle for a period not exceeding 25 days, pending the
5 application for and issuance of an identification card or marker,
or both. The fee for such permit shall be [~~\$8.00~~] ¹[\$1] \$5¹, which
7 may be credited against the identification marker fee applicable
to the same vehicle. A user whose vehicles in the aggregate make
9 not more than six trips into or through this State in a 12-month
period may be issued single trip permits valid for 96 hours for
11 each round trip so made. The fee for such trip permit shall be
[~~\$10.00~~] ¹[\$0.50] \$2.50¹, which shall be in lieu of reports, fees and
13 taxes which may otherwise be applicable to said trip under this
act.

15 (cf: P.L.1985, c.7, s.3)

2. This act shall take effect immediately and shall apply to
17 any marker or permits issued after the effective date of this act.

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TRANSPORTATION

21

Trucking

23 Reduces fees charged for motor fuels user identification markers
and permits.

1 however, that upon the request of a user the director may issue
2 by mail or telecommunication a permit valid for the operation of
3 a vehicle for a period not exceeding 25 days, pending the
4 application for and issuance of an identification card or marker,
5 or both. The fee for such permit shall be [~~\$8.00~~] \$1, which may
6 be credited against the identification marker fee applicable to
7 the same vehicle. A user whose vehicles in the aggregate make
8 not more than six trips into or through this State in a 12-month
9 period may be issued single trip permits valid for 96 hours for
10 each round trip so made. The fee for such trip permit shall be
11 [~~\$10.00~~] \$0.50, which shall be in lieu of reports, fees and taxes
12 which may otherwise be applicable to said trip under this act.
13 (cf: P.L.1985, c.7, s.3)

14 2. This act shall take effect immediately and shall apply to
15 any marker or permits issued after the effective date of this act.

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STATEMENT

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20 This bill reduces the amount of the fee charged for a motor
21 fuels user identification marker or "decal" from \$25 to \$1, in
22 order to conform to the decision of the United States Supreme
23 Court concerning assessment by states of certain flat taxes, in
24 American Trucking Association v. Scheiner, 55 U.S.L.W. 4988
25 (June 23, 1987). This bill also reduces the fee for a temporary
26 permit from \$8 to \$1, and reduces the fee for a single-trip permit
27 from \$10 to 50 cents. In the aftermath of the court decision, the
28 State has been issuing the markers on a no-fee basis. This bill
29 would enable the State to cover the costs of issuing these
30 markers and permits to truck owners who are required to use
31 them.

A380L

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TRANSPORTATION

35

Trucking

37 Reduces fees charged for motor fuels user identification markers
and permits.

ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3802

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 23, 1989

The Assembly Transportation and Communications Committee reports favorably Assembly Bill No. 3802 with committee amendments.

As amended by the committee, this bill reduces the amount of the statutory fee charged for a motor fuels user identification marker or "decal" from \$25 to \$5, reduces the statutory fee for a temporary permit from \$8 to \$5, and also reduces the fee charged by law for a single-trip permit from \$10 to \$2.50.

The bill originally established a motor fuel use identification marker or decal fee of \$1, a fee for a temporary permit of \$1, and a fee for a single-trip permit of 50 cents.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 3802

STATE OF NEW JERSEY

DATED: APRIL 17, 1989

The Senate Transportation and Communications Committee favorably reports Assembly Bill No. 3802 (1R).

This bill reduces the amount of the statutory fee charged for a motor fuels user identification marker or "decal" from \$25 to \$5, reduces the statutory fee for a temporary permit from \$8 to \$5, and also reduces the fee charged by law for a single-trip permit from \$10 to \$2.50.

This bill is identical to S-2879, as amended by the committee and released on the same date as this bill.

The reductions in fees to be effected by this bill would bring the State into conformity with the decision of the United States Supreme Court concerning assessment by states of certain flat taxes in American Trucking Association v. Scheiner, 55 U.S.L.W. 4988 (June 23, 1987).