

22A:3-4

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 22A:3-4 (MV violations-- notice for failure to appear-- increase to \$10)

**Laws Of:** 1987 **CHAPTER 114**

**Bill No:** A185

**Sponsor(s):** Haytaina

**Date Introduced:** Pre-filed

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

**Amended during passage:** Yes Amendments during passage dneoted by asterisks.

**Date of Passage:** **Assembly:** February 27, 1987  
**Senate:** March 26, 1987

**Date of Approval:** April 29, 1987

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes  
**Senate** Yes

**Fiscal Note:** Yes

**Veto Message:** No

**Message on Signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

Donnell  
Library

114

87

4-29-87

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 185

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman HAYTAIAN

AN ACT concerning court costs and amending N. J. S. 22A:3-4.

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

1 1. N. J. S. 22A:3-4 is amended to read as follows:

2 22A:3-4. The fees provided in the following schedule, and no
3 other charges whatsoever, shall be allowed for court costs in any
4 proceedings of a criminal [or quasi-criminal] nature in [all county
5 district courts, criminal judicial district courts, county traffic
6 courts] the special civil part, Law Division, Superior Court, mu-
7 nicipal courts, park police courts, or other inferior courts of
8 limited criminal jurisdiction, but no charge shall be made for the
9 services of any salaried police officer of the State, county or munici-
10 pal police [ , or a State motor vehicle inspector].

COURT

11 For violations of Title 39 of the Revised Statutes, or of traffic
12 ordinances, at the discretion of the court, up to but not exceeding
13 \$15.00.

14 For all other cases, at the discretion of the court, up to but not
15 exceeding \$25.00.

16 The provisions of this act shall not prohibit the taxing of addi-
17 tional costs when authorized by [section] R. S. 39:5-39 [of the
18 Revised Statutes].

19 For certificate of judgment ..... \*[\$2.00]\* \*\$4.00\*

20 For certified copy of paper filed with the court as a public
21 record:

22 First page ..... \*[2.00]\* \*4.00\*

23 Each additional page or part thereof ..... \* [.50]\* \*1.00\*

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly committee amendments adopted February 20, 1986.

24 For copy of paper filed with the court as a public record:

25 First page ..... \***[1.00]**\* \*2.00\*

26 Each additional page or part thereof . . . . \***[.50]**\* \*1.00\*

27 *In addition to any fine imposed, when a supplemental notice is*  
 28 *sent for failure to appear on a return date the cost shall be \$10.00*  
 29 *per notice\*, unless satisfactory evidence is presented to the court*  
 29A *that the notice was not received\*.*

#### CONSTABLES OR OTHER OFFICERS

30 From the fees allowed for court costs in the foregoing schedule,  
 31 the clerk of the court shall pay the following fees to constables or  
 32 other officers:

33 Serving warrant or summons, \***[.75]**\* \*\$1.50\*.

34 Serving every subpoena, \***[.35]**\* \*\$.70\*.

35 Serving every execution, \***[.75]**\* \*\$1.50\*.

36 Advertising property under execution, \***[.35]**\* \*\$.70\*.

37 Sale of property under execution, \***[.50]**\* \*\$1.00\*.

38 Serving every commitment, \***[.75]**\* \*\$1.50\*.

39 Transport of defendant, actual cost.

40 Mileage, for every mile of travel in serving any warrant, sum-  
 41 mons, commitment, subpoena or other process, computed by count-  
 42 ing the number of miles in and out, by the most direct route from  
 43 the place where such process is returnable, exclusive of the first  
 44 mile, \***[\$.10]**\* \*\$.20\*.

45 If defendant is found guilty of the charge laid against him, he  
 46 shall pay the costs herein provided, but if, on appeal, the judgment  
 47 is reversed, the costs shall be repaid to defendant. If defendant is  
 48 found not guilty of the charge laid against him, the **[cost]** costs  
 49 shall be paid by the prosecutor, except when the Director of Motor  
 50 Vehicles **[or the inspector of motor vehicles]**, a peace officer, or a  
 51 police officer shall have been prosecutor.

1 2. This act shall take effect immediately.

**ASSEMBLY, No. 185**  
**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman HAYTAIAN

AN ACT concerning court costs and amending N. J. S. 22A:3-4.

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

1    1. N. J. S. 22A:3-4 is amended to read as follows:

2    22A:3-4. The fees provided in the following schedule, and no  
3    other charges whatsoever, shall be allowed for court costs in any  
4    proceedings of a criminal **[or quasi-criminal]** nature in **[all county**  
5    **district courts, criminal judicial district courts, county traffic**  
6    **courts]** *the special civil part, Law Division, Superior Court, mu-*  
7    *nicipal courts, park police courts, or other inferior courts of*  
8    *limited criminal jurisdiction, but no charge shall be made for the*  
9    *services of any salaried police officer of the State, county or municipi-*  
10   *pal police **[, or a State motor vehicle inspector]**.*

COURT

11   For violations of Title 39 of the Revised Statutes, or of traffic  
12   ordinances, at the discretion of the court, up to but not exceeding  
13   \$15.00.

14   For all other cases, at the discretion of the court, up to but not  
15   exceeding \$25.00.

16   The provisions of this act shall not prohibit the taxing of addi-  
17   tional costs when authorized by **[section]** *R. S. 39:5-39* **[of the**  
18   **Revised Statutes]**.

19   For certificate of judgment ..... \$2.00

20   For certified copy of paper filed with the court as a public  
21   record:

22    First page ..... 2.00

23    Each additional page or part thereof ..... .50

**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 printed in italics thus is new matter.**

24 For copy of paper filed with the court as a public record:  
 25 First page ..... 1.00  
 26 Each additional page or part thereof ..... .50  
 27 *In addition to any fine imposed, when a supplemental notice is*  
 28 *sent for failure to appear on a return date the cost shall be \$10.00*  
 29 *per notice.*

CONSTABLES OR OTHER OFFICERS

30 From the fees allowed for court costs in the foregoing schedule,  
 31 the clerk of the court shall pay the following fees to constables or  
 32 other officers:

33 Serving warrant or summons, \$0.75.

34 Serving every subpoena, \$0.35.

35 Serving every execution, \$0.75.

36 Advertising property under execution, \$0.35.

37 Sale of property under execution, \$0.50.

38 Serving every commitment, \$0.75.

39 Transport of defendant, actual cost.

40 Mileage, for every mile of travel in serving any warrant, sum-  
 41 mons, commitment, subpoena or other process, computed by count-  
 42 ing the number of miles in and out, by the most direct route from  
 43 the place where such process is returnable, exclusive of the first  
 44 mile, \$10.

45 If defendant is found guilty of the charge laid against him, he  
 46 shall pay the costs herein provided, but if, on appeal, the judgment  
 47 is reversed, the costs shall be repaid to defendant. If defendant is  
 48 found not guilty of the charge laid against him, the [cost] costs  
 49 shall be paid by the prosecutor, except when the Director of Motor  
 50 Vehicles [or the inspector of motor vehicles], a peace officer, or a  
 51 police officer shall have been prosecutor.

1 2. This act shall take effect immediately.

---

STATEMENT

Pursuant to the Statewide Violations Bureau Schedule, which sets penalties for motor vehicle offenses, court costs are \$5.00 where a supplemental notice is sent for failure to appear on a return date. This is in addition to any penalty. This bill raises these costs to \$10.00.

Technical corrections were made to N. J. S. 22A:3-4 to delete references to courts and positions abolished by law.

---

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND  
CORRECTIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 185**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 20, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Assembly Bill No. 185 with amendments.

As amended, Assembly Bill No. 185 statutorily sets court costs at \$10.00 when a supplemental notice is sent to a person for a failure to appear on a return date for a motor vehicle offense. The \$10.00 is an increase from the current cost of \$5.00 and would be assessed unless the person can provide satisfactory evidence that the notice was not received. In addition, the committee amended the bill to double the amounts of the costs described in N. J. S. 22A:3-4 as additional court costs which may be assessed by a court.

The bill includes technical corrections to N. J. S. 22A:3-4 to delete references to courts and positions abolished by law.

SENATE LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 185**

[OFFICIAL COPY REPRINT]

---

**STATE OF NEW JERSEY**

---

DATED: FEBRUARY 26, 1987

The Senate Law, Public Safety and Defense Committee reports favorably Assembly Bill No. 185 OCR.

Assembly Bill No. 185, as it was amended by the Assembly Law, Public Safety, Defense and Corrections Committee, increases a wide range of court fees both in the municipal court and the Special Civil Part, Law Division of the Superior Court. Fees presently range from \$0.35 for the filing of a subpoena to \$2.00 for obtaining a certificate of judgment. The bill doubles all the fees set forth in N. J. S. 22A:3-4 so that the new range is \$0.70 to \$4.00. In addition, the bill creates a new fee of \$10.00 when a supplemental notice is sent by the court for a failure to appear on a return date, unless satisfactory evidence is presented to the court that the first notice was not received.