

39:3-10

5/28/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:3-10

(Drivers licenses-- unsigned-- establish fine)

CHAPTER 20

Laws Of: 1987

Bill No: S2000

Sponsor(s): Rand and others

Date Introduced: April 7, 1989

Committee: Assembly: Law, Public Safety and Defense

Senate: Law, Public Safety and Defense

Amended during passage: Yes

Amendments during passage denoted by asterisks.

Date of Passage:

Assembly:

December 18, 1986

Senate:

July 31, 1986

Date of Approval: January 27, 1987

Following statements are attached if available:

Sponsor statement:

Yes

Attached. Senate amendments, adopted 7-17-86 (with statement)

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

No

Hearings:

No

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[OFFICIAL COPY REPRINT]
SENATE, No. 2000

STATE OF NEW JERSEY

INTRODUCED APRIL 7, 1986

By Senators RAND, McMANIMON, COWAN, GAGLIANO,
HURLEY and DORSEY

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning motor vehicle drivers' licenses and amending
R. S. 39:3-10 **and supplementing chapter 3 of Title 39 of the
Revised Statutes**.

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

1 1. R. S. 39:3-10 is amended to read as follows:

2 39:3-10. No person shall drive a motor vehicle on a public high-
3 way in this State unless licensed to do so in accordance with this
4 article. No person under 17 years of age shall be licensed to drive
5 motor vehicles, nor shall a person be licensed until he has passed
6 a satisfactory examination as to his ability as an operator. The
7 examination shall include a test of the applicant's vision, his
8 ability to understand traffic control devices, his knowledge of safe
9 driving practices and of the effects that ingestion of alcohol or
10 drugs has on a person's ability to operate a motor vehicle, his
11 knowledge of such portions of the mechanism of motor vehicles as is
12 necessary to insure the safe operation of a vehicle of the kind or
13 kinds indicated by the applicant and of the laws and ordinary
14 usages of the road and a demonstration of his ability to operate a
15 vehicle of the class designated.

16 The director shall expand the driver's license examination by
17 20%. The additional questions to be added shall consist solely of
18 questions developed in conjunction with the State Department of
19 Health concerning the use of alcohol or drugs as related to highway
20 safety. The director shall develop in conjunction with the State
21 Department of Health supplements to the driver's manual which

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:

*—Senate amendments adopted July 17, 1986.

22 shall include information necessary to answer any question on the
23 driver's license examination concerning alcohol or drugs as related
24 to highway safety.

25 Any person applying for a driver's license to operate a motor
26 vehicle or motorized bicycle in this State shall surrender to the
27 director any current driver's license issued to him by another state
28 upon his receipt of a driver's license for this State. The director
29 shall refuse to issue a driver's license if the applicant fails to com-
30 ply with this provision.

31 The director shall create classified licensing of drivers covering
32 the following classifications:

33 a. Motorcycles, except that for the purposes of this section, motor-
34 cycle shall not include any three-wheeled motor vehicle equipped
35 with a single cab with glazing enclosing the occupant, seats similar
36 to those of a passenger vehicle or truck, seat belts and automotive
37 steering;

38 b. Omnibuses as classified by R. S. 39:3-10.1 and school buses
39 classified under N. J. S. 18A:39-1 et seq.;

40 c. Articulated vehicles means a combination of a commercial
41 motor vehicle registered at a gross weight in excess of 18,000 pounds
42 and one or more motor-drawn vehicles joined together by means of
43 a coupling device;

44 d. All motor vehicles not included in classifications a., b. and c.
45 A license issued pursuant to this classification d. shall be referred
46 to as the "basic driver's license."

47 Every applicant for a license under classification b. or c. shall
48 be a holder of a basic driver's license. Any issuance of a license
49 under classification b. or c. shall be by endorsement on the basic
50 driver's license.

51 A driver's license for motorcycles may be issued separately, but
52 if issued to the holder of a basic driver's license, it shall be by
53 endorsement on the basic driver's license.

54 The director, upon payment of the lawful fee and after he or a
55 person authorized by him has examined the applicant and is satisfied
56 of the applicant's ability as an operator, may, in his discretion,
57 license the applicant to drive a motor vehicle. The license shall
58 authorize him to drive any registered vehicle, of the kind or kinds
59 indicated, and shall expire, except as otherwise provided, on the
60 last day of the forty-eighth calendar month following the calendar
61 month in which such license was issued.

62 The director may, at his discretion and for good cause shown,
63 issue licenses which shall expire on a date fixed by him. The fee for

64 such licenses shall be fixed by the director in amounts proportion-
65 ately less or greater than the fee herein established.

66 The required fee for a license for the 48-month period shall be
67 as follows:

68	Motorcycle license or endorsement	\$8.00
69	Omnibus or school bus endorsement	\$16.00
70	Articulated vehicle endorsement	\$8.00
71	Basic driver's license	\$16.00

72 The director shall waive the payment of fees for issuance of
73 omnibus endorsements whenever an applicant establishes to the
74 director's satisfaction that said applicant will use the omnibus
75 endorsement exclusively for operating omnibuses owned by a
76 nonprofit organization duly incorporated under Title 15 or 16 of
77 the Revised Statutes or Title 15A of the New Jersey Statutes.

78 The driver's license shall have the legal name of the licensee
79 endorsed thereon in his own handwriting. For purposes of this
80 section, legal name shall mean the name recorded on a birth cer-
81 tificate unless otherwise changed by marriage, divorce or order of
82 court. The director may require that only the legal name be re-
83 corded on the driver's license. A licensee whose name is changed
84 due to marriage, divorce, or by judgment of the court shall notify
85 the director of the change in name within two weeks after the change
86 is made. ***[A person who [violates this provision] fails to notify**
87 *the director of a change in name shall be subject to a penalty of*
88 *not more than \$10.00. A person who fails to endorse a driver's*
89 *license in his own handwriting shall be subject to a penalty of*
90 *\$20.00, and notwithstanding any other provision of law to the con-*
91 *trary, no other penalty shall be imposed upon or assessed against*
92 *a person who fails to endorse a driver's license.]**

93 The director shall issue licenses for the following license period
94 on and after the first day of the calendar month immediately pre-
95 ceding the commencement of such period, such licenses to be effec-
96 tive immediately.

97 All applications for renewals of licenses shall be made on forms
98 prescribed by the director and in accordance with procedures
99 established by him.

100 The director in his discretion may refuse to grant a license to
101 drive motor vehicles to a person who is, in his estimation, not a
102 proper person to be granted such a license, but no defect of the
103 applicant shall debar him from receiving a license unless it can be
104 shown by tests approved by the Director of the Division of Motor
105 Vehicles that the defect incapacitates him from safely operating
106 a motor vehicle.

107 A person violating this section shall be subject to a fine not ex-
 108 ceeding \$500.00 or imprisonment in the county jail for not more
 109 than 60 days, but if that person has never been licensed to drive in
 110 this State or any other jurisdiction, he shall be subject to a fine of
 111 not less than \$200.00 and, in addition, the court shall issue an order
 112 to the Director of the Division of Motor Vehicles requiring the
 113 director to refuse to issue a license to operate a motor vehicle to
 114 the person for a period of not less than 180 days. The penalties
 115 provided for by this paragraph shall not be applicable in cases
 116 where failure to have actual possession of the operator's license
 117 is due to an administrative or technical error by the Division of
 118 Motor Vehicles.

119 Nothing in this section shall be construed to alter or extend the
 120 expiration of any license issued prior to the date this amendatory
 121 and supplementary act becomes operative.

1 *2. (New section) A person who fails to notify the Director of
 2 the Division of Motor Vehicles of a change in name as required in
 3 R. S. 39:3-10 shall be subject to a fine of \$10.00. A person who fails
 4 to endorse a driver's license in his own handwriting as required
 5 in R. S. 39:3-10 shall be subject to a fine of \$20.00 A person who
 6 is fined under this section for a violation shall not be subject to a
 7 surcharge under the New Jersey Merit Rating Plan as provided in
 8 section 6 of P. L. 1983, c. 65 (C. 17:29A-35).*

1 ***[2.]*** *3.* This act shall take effect immediately.

MOTOR VEHICLE—OFFENSES

Creates a fine for driving with an unsigned driver's license.

107 A person violating this section shall be subject to a fine not ex-
 108 ceeding \$500.00 or imprisonment in the county jail for not more
 109 than 60 days, but if that person has never been licensed to drive in
 110 this State or any other jurisdiction, he shall be subject to a fine of
 111 not less than \$200.00 and, in addition, the court shall issue an order
 112 to the Director of the Division of Motor Vehicles requiring the
 113 director to refuse to issue a license to operate a motor vehicle to
 114 the person for a period of not less than 180 days. The penalties
 115 provided for by this paragraph shall not be applicable in cases
 116 where failure to have actual possession of the operator's license
 117 is due to an administrative or technical error by the Division of
 118 Motor Vehicles.

119 Nothing in this section shall be construed to alter or extend the
 120 expiration of any license issued prior to the date this amendatory
 121 and supplementary act becomes operative.

1 2. This act shall take effect immediately.

STATEMENT

This bill amends current law in order to ensure that a person who fails to sign his driver's license would only be fined \$20.00. Currently, persons who are found to have been driving with an unsigned driver's license are penalized as if they had been driving without any license at all.

MOTOR VEHICLE—OFFENSES

Creates a fine for driving with an unsigned driver's license.

52000 (1987)

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

SENATE, No. 2000

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STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Senate Bill No. 2000 OCR.

Under this bill, the penalty for a licensee's failure to sign his driver's license would be a fine of \$20.00. In addition, the bill states that a person fined for driving with an unsigned license would not be subject to a surcharge under the New Jersey Merit Rating Plan.

The purpose of this bill is to prevent persons who are found to have been driving with an unsigned driver's license from being penalized as if they had been driving without any license at all. The penalty for driving without a license is a fine of up to \$500.00 or imprisonment in the county jail for up to 60 days. If the unlicensed driver has never been licensed to drive in this State or any other jurisdiction, he is subject to a fine of not less than \$200.00 and will be prohibited from obtaining a driver's license for at least 180 days.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

SENATE, No. 2000

STATE OF NEW JERSEY

DATED: JUNE 9, 1986

The Senate Law, Public Safety and Defense Committee favorably reports Senate Bill No. 2000.

This bill establishes that the penalty for failing to endorse a driver's license in the holder's own handwriting is a fine of \$20.00. The bill prohibits any other penalty besides the \$20.00 fine from being imposed upon a person who commits this offense.

The purpose of this bill is to prevent persons who are found to have been driving with an unsigned driver's license from being penalized as if they had been driving without any license at all. The penalty for driving without a license is a fine of up to \$500.00 or imprisonment in the county jail for up to 60 days. If the unlicensed driver has never been licensed to drive in this State or any other jurisdiction, he is subject to a fine of not less than \$200.00 and will be prohibited from obtaining a driver's license for at least 180 days.

Senate Amendments
 proposed by Senator Rand 7/17/86
 to

APPROVED
 JUL 17 1986

Senate Bill No. 2000
 sponsored by Senator Rand

Amend:	Page	Sec.	Line
	1	Title	2
	3	1	86-92
	4	after	after
		1	121
	4	2	1

After "R.S. 39:3-10" insert
 "and supplementing chapter 3 of Title 39 of the
 Revised Statutes"

After "made." omit rest of line 86
 Omit lines 87-92 in entirety

Insert new section 2 as follows:
 (New section)
 "2. /A person who fails to notify the Director
 of the Division of Motor Vehicles of a change in
 name as required in R.S. 39:3-10 shall be
 subject to a fine of \$10.00. A person who fails
 to endorse a driver's license in his own
 handwriting as required in R.S. 39:3-10 shall be
 subject to a fine of \$20.00. A person who is
 fined under this section for a violation shall
 not be subject to a surcharge under the New
 Jersey Merit Rating Plan as provided in section
 6 of P.L. 1983, c. 65 (C. 17:29A-35)."

Omit "2." insert "3."

STATEMENT

These amendments remove from R.S. 39:3-10 the
 penalty for a failure to notify the Director of
 the Division of Motor Vehicles of a change in
 the name of a holder of a driver's license and
 the penalty for a failure to sign a driver's
 license in order to ensure that a violation
 would not subject a licensee to a surcharge

Merit Rating