

39:3-33.5

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2000 **CHAPTER:** 15
NJSA: 39:3-33.5 (personalized license plates-eases restrictions)
BILL NO: A1654 (Substituted for S547)
SPONSOR(S): Assetta and Gibson
DATE INTRODUCED: Pre-filed
COMMITTEE: **ASSEMBLY:** Transportation
SENATE: Transportation
AMENDED DURING PASSAGE: Yes
DATE OF PASSAGE: **ASSEMBLY:** March 16, 2000
SENATE: February 28, 2000
DATE OF APPROVAL: April 24, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: First Reprint enacted
(Amendments during passage denoted by superscript numbers)

A1654

SPONSORS STATEMENT: (Begins on page 2 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: Yes
FLOOR AMENDMENT STATEMENTS:	No
LEGISLATIVE FISCAL ESTIMATE:	No

S547

SPONSORS STATEMENT: (Begins on page 2 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes
FLOOR AMENDMENT STATEMENTS:	No
LEGISLATIVE FISCAL ESTIMATE:	No

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

"Whitman signs bill allowing drunken drivers eventually to get special plates," 4-25-2000. Atlantic City Press, p.C1

ASSEMBLY, No. 1654

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Eases restrictions on issuance of personalized and courtesy license plates.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning special identifying marks on motor vehicle
2 registration plates and amending P.L.1959, c.56.

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

6
7 1. Section 3 of P.L.1959, c.56 (C.39:3-33.5) is amended to read as
8 follows:

9 3. No special identifying mark may be issued to any applicant who:

10 (a) for the 10-year period next preceding the date of application for
11 a special identifying mark has been convicted of a violation of either
12 section 39:4-50, or section 39:4-96 of this Title; or

13 (b) has been convicted of a [misdemeanor in violation of section
14 2A:113-9 of Title 2A, Administration of Civil and Criminal Justice]
15 violation of N.J.S.2C:11-5; or

16 (c) for the 2-year period next preceding his application for a special
17 identifying mark has had his driving privileges in this State revoked or
18 suspended for any reason whatsoever.

19 (cf: P.L.1959, c.56, s.3)

20

21 2. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill would allow persons who have been convicted of drunk
27 driving or reckless driving to obtain personalized, courtesy or special
28 organization license plates if the conviction occurred more than
29 10 years prior to the date of application for these license plates.

30 Currently, the Division of Motor Vehicles (DMV) in the
31 Department of Transportation is statutorily prohibited from issuing
32 these license plates to a person who has been convicted of drunk
33 driving, reckless driving or death by auto, regardless of when the
34 person was convicted of the offense. According to DMV regulations,
35 these offenses also constitute grounds for suspending or revoking
36 personalized or courtesy license plates which have already been issued.

37

38 Under the bill, a person who has been convicted of death by auto
39 would continue to be prohibited from obtaining personalized, courtesy
40 or special organization license plates.

41 The bill also makes a technical change.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1654

STATE OF NEW JERSEY

DATED: JANUARY 24, 2000

The Assembly Transportation Committee reports favorably Assembly Bill No. 1654.

This bill would allow persons who have been convicted of drunk driving or reckless driving to obtain personalized, courtesy or special organization license plates if the conviction occurred more than 10 years prior to the date of application for these license plates.

Currently, the Division of Motor Vehicles (DMV) in the Department of Transportation is statutorily prohibited from issuing these license plates to a person who has been convicted of drunk driving, reckless driving or death by auto, regardless of when the person was convicted of the offense. According to DMV regulations, these offenses also constitute grounds for suspending or revoking personalized or courtesy license plates which have already been issued.

Under the bill, a person who has been convicted of death by auto would continue to be prohibited from obtaining personalized, courtesy or special organization license plates.

The bill also makes a technical change regarding the reference to the death by auto statute. The current reference in subsection (b) of section 3 of P.L.1959, c.56 to section 2A:113-9 of Title 2A, which was repealed, is incorrect, and has been changed in this bill to N.J.S.2C:11-5 which is the current death by auto statute.

This bill was pre-filed for introduction in the 2000 session pending technical review. As reported, the necessary technical review has been performed.

ASSEMBLY, No. 1654

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Assemblyman Carroll

SYNOPSIS

Eases restrictions on issuance of personalized and courtesy license plates.

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation Committee with technical review.



(Sponsorship Updated As Of: 2/1/2000)

A1654 ASSELTA, GIBSON

2

1 **AN ACT** concerning special identifying marks on motor vehicle
2 registration plates and amending P.L.1959, c.56.

3

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

6

7 1. Section 3 of P.L.1959, c.56 (C.39:3-33.5) is amended to read as
8 follows:

9 3. No special identifying mark may be issued to any applicant who:

10 (a) for the 10-year period next preceding the date of application for
11 a special identifying mark has been convicted of a violation of either
12 section 39:4-50, or section 39:4-96 of this Title; or

13 (b) has been convicted of a **[misdemeanor in violation of section**
14 **2A:113-9 of Title 2A, Administration of Civil and Criminal Justice]**
15 violation of N.J.S.2C:11-5; or

16 (c) for the 2-year period next preceding his application for a special
17 identifying mark has had his driving privileges in this State revoked or
18 suspended for any reason whatsoever.

19 (cf: P.L.1959, c.56, s.3)

20

21 2. This act shall take effect immediately.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1654

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 17, 2000

The Senate Transportation Committee reports favorably Assembly Bill No. 1654 with committee amendments.

This bill, as amended by the committee, would allow persons who have been convicted of drunk driving, reckless driving or refusing to take a breathalyser test or of a violation of a law of a substantially similar nature in another jurisdiction to obtain personalized or special organization license plates if the conviction occurred more than 10 years prior to the date of application for these license plates.

Currently, the Division of Motor Vehicles (DMV) in the Department of Transportation is statutorily prohibited from issuing these license plates as well as courtesy plates to a person who has been convicted of drunk driving, reckless driving or death by auto, regardless of when the person was convicted of the offense. According to DMV regulations, these offenses also constitute grounds for suspending or revoking personalized or courtesy license plates which have already been issued. Under the bill, a person who has been convicted of death by auto would continue to be prohibited from obtaining personalized, courtesy or special organization license plates as would a person who has had his driving privileges revoked or suspended in this State or another jurisdiction during the two year period preceding an application. The current disqualifications for the issuance of courtesy plates in section 3 of P.L.1959, c.56 (C.39:3-33.5) are not affected by the bill, except that there are additional disqualifications established for those who have refused to take a breathalyser test or who have been convicted of a violation of a law of a substantially similar nature in another jurisdiction or whose driving privileges are revoked or suspended in another jurisdiction during the two year period preceding the application.

The bill also makes a technical change regarding the reference to the death by auto statute. The current reference in subsection (b) of section 3 of P.L.1959, c.56 to section 2A:113-9 of Title 2A, which was repealed, is incorrect, and has been changed in this bill to N.J.S.2C:11-5 which is the current death by auto statute.

The committee amended the bill by changing the terminology of a

special identifying mark to a particular identifying mark, adding special organization license plates, including the refusal to take a breathalyser test as a disqualification, and including reference to violations, suspensions or revocations in other jurisdictions. In addition, a section was added exempting courtesy plates from the bill, with the exception of establishing additional disqualifications consistent with those added to section 3 of P.L.1959, c.56 (C.39:3-33.5) by section 1 of the bill.

As released by the committee, the bill is identical to S547, amended and released by the committee on this date.

[First Reprint]

ASSEMBLY, No. 1654

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

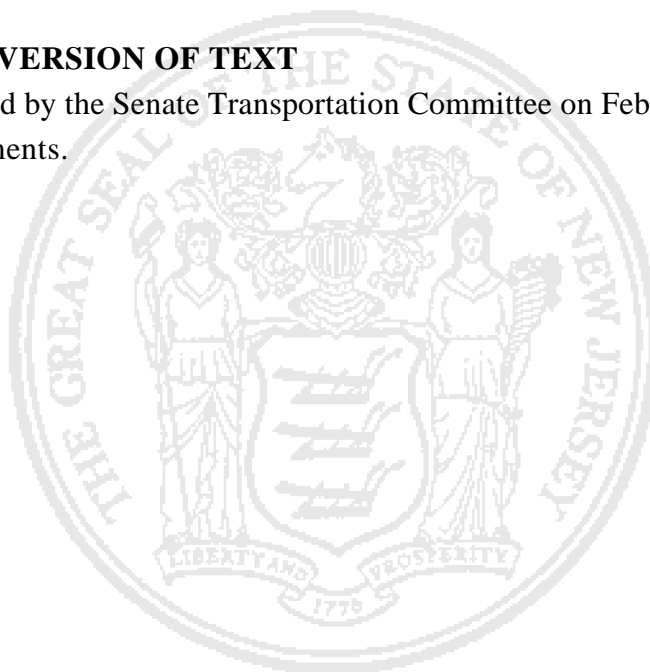
Assemblyman Carroll, Senators Cafiero and DiFrancesco

SYNOPSIS

Eases restrictions on issuance of personalized and courtesy license plates.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on February 17, 2000, with amendments.



(Sponsorship Updated As Of: 2/29/2000)

1 AN ACT concerning ¹[special identifying marks on]¹ motor vehicle
2 registration plates and amending P.L.1959, c.56 ¹and
3 supplementing chapter 3 of Title 39 of the Revised Statutes¹.

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

7
8 1. Section 3 of P.L.1959, c.56 (C.39:3-33.5) is amended to read as
9 follows:

10 3. ¹[No special] Except as provided for courtesy marks in section
11 2 of P.L. , c. (C.) (now pending before the Legislature as this
12 bill), no particular¹ identifying mark ¹or special organization license
13 plate issued pursuant to P.L.1987, c.374 (C.39:3-27.35)¹ may be
14 issued to any applicant who:

15 (a) for the 10-year period next preceding the date of application for
16 a ¹[special] particular¹ identifying mark ¹or special organization
17 license plate¹ has been convicted of a violation of either section
18 39:4-50, or section 39:4-96 of this Title ¹or section 2 of
19 P.L.1966,c.142(C.39:4-50.2) or has been convicted of a violation of
20 a law of a substantially similar nature in another jurisdiction¹; or

21 (b) has been convicted of a **[misdemeanor in violation of section**
22 **2A:113-9 of Title 2A, Administration of Civil and Criminal Justice]**
23 violation of N.J.S.2C:11-5; or

24 (c) for the 2-year period next preceding his application for a
25 ¹[special] particular¹ identifying mark ¹or a special organization
26 license plate¹ has had his driving privileges in this State ¹or in another
27 jurisdiction¹ revoked or suspended for any reason whatsoever.

28 (cf: P.L.1959, c.56, s.3)

29

30 ¹2. (New section) No courtesy mark may be issued to any
31 applicant who:

32 a. has been convicted of a violation of either section 39:4-50, or
33 section 39:4-96 of this Title or section 2 of P.L.1966, c.142 (C.39:4-
34 50.2) or has been convicted of a violation of a law of a substantially
35 similar nature in another jurisdiction; or

36 b. has been convicted of a violation of N.J.S.2C:11-5; or

37 c. for the 2-year period next preceding his application for a
38 courtesy mark has had his driving privileges in this State or in another
39 jurisdiction revoked or suspended for any reason whatsoever.¹

40

41 ¹[2.] 3.¹ This act shall take effect immediately.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate STR committee amendments adopted February 17, 2000.

P.L. 2000, CHAPTER 15, *approved April 24, 2000*
Assembly, No. 1654 (*First Reprint*)

1 AN ACT concerning ¹[special identifying marks on]¹ motor vehicle
2 registration plates and amending P.L.1959, c.56 ¹and
3 supplementing chapter 3 of Title 39 of the Revised Statutes¹.

4

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

7

8 1. Section 3 of P.L.1959, c.56 (C.39:3-33.5) is amended to read as
9 follows:

10 3. ¹[No special] Except as provided for courtesy marks in section
11 2 of P.L. , c. (C.) (now pending before the Legislature as this
12 bill), no particular¹ identifying mark ¹or special organization license
13 plate issued pursuant to P.L.1987, c.374 (C.39:3-27.35)¹ may be
14 issued to any applicant who:

15 (a) for the 10-year period next preceding the date of application for
16 a ¹[special] particular¹ identifying mark ¹or special organization
17 license plate¹ has been convicted of a violation of either section
18 39:4-50, or section 39:4-96 of this Title ¹or section 2 of
19 P.L.1966,c.142(C.39:4-50.2) or has been convicted of a violation of
20 a law of a substantially similar nature in another jurisdiction¹; or

21 (b) has been convicted of a [misdemeanor in violation of section
22 2A:113-9 of Title 2A, Administration of Civil and Criminal Justice]
23 violation of N.J.S.2C:11-5; or

24 (c) for the 2-year period next preceding his application for a
25 ¹[special] particular¹ identifying mark ¹or a special organization
26 license plate¹ has had his driving privileges in this State ¹or in another
27 jurisdiction¹ revoked or suspended for any reason whatsoever.

28 (cf: P.L.1959, c.56, s.3)

29

30 ¹2. (New section) No courtesy mark may be issued to any
31 applicant who:

32 a. has been convicted of a violation of either section 39:4-50, or
33 section 39:4-96 of this Title or section 2 of P.L.1966, c.142 (C.39:4-
34 50.2) or has been convicted of a violation of a law of a substantially
35 similar nature in another jurisdiction; or

36 b. has been convicted of a violation of N.J.S.2C:11-5; or

37 c. for the 2-year period next preceding his application for a
38 courtesy mark has had his driving privileges in this State or in another
39 jurisdiction revoked or suspended for any reason whatsoever.¹

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate STR committee amendments adopted February 17, 2000.

1 ¹[2.] 3.¹ This act shall take effect immediately.

2

3

4

5

6 Eases restrictions on issuance of personalized and courtesy license
7 plates.

CHAPTER 15

AN ACT concerning motor vehicle registration plates and amending P.L.1959, c.56 and supplementing chapter 3 of Title 39 of the Revised Statutes.

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

1. Section 3 of P.L.1959, c.56 (C.39:3-33.5) is amended to read as follows:

C.39:3-33.5 Restrictions upon issuance of certain license plates.

3. Except as provided for courtesy marks in section 2 of P.L.2000, c.15 (C.39:3-33.5a), no particular identifying mark or special organization license plate issued pursuant to P.L.1987, c.374 (C.39:3-27.35) may be issued to any applicant who:

- (a) for the 10-year period next preceding the date of application for a particular identifying mark or special organization license plate has been convicted of a violation of either section 39:4-50, or section 39:4-96 of this Title or section 2 of P.L.1966, c.142 (C.39:4-50.2) or has been convicted of a violation of a law of a substantially similar nature in another jurisdiction; or
- (b) has been convicted of a violation of N.J.S.2C:11-5; or
- (c) for the two-year period next preceding his application for a particular identifying mark or a special organization license plate has had his driving privileges in this State or in another jurisdiction revoked or suspended for any reason whatsoever.

C.39:3-33.5a Restrictions upon issuance of courtesy mark.

2. No courtesy mark may be issued to any applicant who:

- a. has been convicted of a violation of either section 39:4-50, or section 39:4-96 of this Title or section 2 of P.L.1966, c.142 (C.39:4-50.2) or has been convicted of a violation of a law of a substantially similar nature in another jurisdiction; or
- b. has been convicted of a violation of N.J.S.2C:11-5; or
- c. for the two-year period next preceding his application for a courtesy mark has had his driving privileges in this State or in another jurisdiction revoked or suspended for any reason whatsoever.

3. This act shall take effect immediately.

Approved April 24, 2000.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Gene Herman
609-777-2600

RELEASE: April 24, 2000

Gov. Christie Whitman today signed the following pieces of legislation:

A-1654, amends previous law by adding additional offenses that disqualify a person from obtaining courtesy, personalized or special organization license plates. The bill also eases the restrictions on obtaining personalized or special organization license plates. Under previous law, a person who has been convicted of death by auto, drunk driving or reckless driving was prohibited from obtaining courtesy, personalized or special organization license plates, regardless of when the person was convicted of the offense. The legislation supplements previous law by adding two disqualifying offenses: (1) a conviction for refusing to take a breathalyzer test; and (2) a conviction for an offense in another jurisdiction that is substantially similar in nature to drunk driving, reckless driving or refusing to take a breathalyzer test.

The bill eases the restrictions on the issuance of personalized and special organization license plates by allowing a person who has been convicted of drunk driving, reckless driving, refusing to take a breathalyzer test or a substantially similar offense in another jurisdiction to obtain such a license plate if the conviction occurred more than ten years ago. Under previous law, the restriction carried a lifetime disqualification. The bill does not ease the lifetime disqualification accorded a death by auto conviction.

The legislation was sponsored by Assembly Members Nicholas Asselta (R-Cape May/Atlantic/Cumberland) and John C. Gibson (R-Cape May/Atlantic/Cumberland) and Senators James S. Cafiero (R-Cape May/Atlantic/Cumberland) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union).

S-28, amends previous law and authorizes the Commissioner of Labor to enter into reciprocal agreements with the labor departments or corresponding agencies of other states to collect claims, judgments for outstanding wages, or other administrative fees and penalties due under wage and hour laws. Such agreements will allow the Commissioner to bring lawsuits in the courts of other states and assign the collection of claims and judgements to appropriate agencies in other states. Similarly, other states that have entered into reciprocal agreements could file lawsuits and seek collection in New Jersey.

The legislation was sponsored by Senators Walter J. Kavanaugh (R-Morris/Somerset) and Henry P. McNamara (R-Bergen/Passaic) and Assembly Members Kenneth C. LeFevre (R-Atlantic) and George F. Geist (R-Camden/Gloucester).