

39:4-203.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:4-203.3

(Juveniles - violations of bicycle and pedestrian laws - penalties)

LAWS OF: 1984

CHAPTER: 90

Bill No: S653

Sponsor(s): Graves and others

Date Introduced: Pre-filed

Committee: Assembly: Law, Public Safety and Defense

Senate: Law, Public Safety and Defense

Amended during passage: No

Date of Passage: Assembly: June 21, 1984

Senate: February 23, 1984

Date of Approval: July 19, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

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motor vehicle drivers as set forth in chapter 4 of Title 39 of the

SENATE, No. 653

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senators GRAVES, DiFRANCESCO, RAND, WEISS and  
BASSANO

AN ACT concerning certain juveniles and the law on pedestrians  
and bicyclists and supplementing 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. Notwithstanding the provisions of Title 39 of the Revised  
2 Statutes to the contrary, a juvenile under the age of 17 who  
3 commits an act which constitutes a violation of that Title pertaining  
4 to pedestrians and bicycles may be warned of the violation by a  
5 police officer or may be subject to a fine not to exceed \$10.00. No  
6 points shall be assessed pursuant to section 1 of P. L. 1982, c. 43  
7 (C. 39:5-30.5) for these violations.

1 2. A juvenile convicted of a violation of Title 39 of the Revised  
2 Statutes pertaining to pedestrians or bicycles, which violation oc-  
3 curred on or after January 1, 1983, may petition the sentencing  
4 court for reduction of the sentence in accordance with the provi-  
5 sions of this act. The court shall sentence pursuant to the provi-  
6 sions of this act unless, for good cause shown, it determines that  
7 the original sentence was proper under the circumstances.

1 3. This act shall take effect immediately and shall be retroactive  
2 to January 1, 1983.

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STATEMENT

Present law provides that every person operating a bicycle on a  
roadway shall be subject to the duties and penalties applicable to  
motor vehicle drivers as set forth in chapter 4 of Title 39 of the

Revised Statutes. For example, the minimum penalty of \$50.00 for reckless driving is applicable to bicyclists. These motor vehicle penalties are stringent as applied to juvenile bicyclists. Accordingly, this bill provides for the issuance of warning or a maximum fine of \$10.00.

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ASSEMBLY LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO  
**SENATE, No. 653**

**STATE OF NEW JERSEY**

DATED: APRIL 30, 1984

According to present law, a person under 17 years of age who violates the laws pertaining to pedestrians and bicycles in chapter 4 of Title 39 of the Revised Statutes comes within the jurisdiction of the municipal court and is subject to the same penalties as an adult who commits the same violation. The purpose of this bill is to reduce the penalties which may currently be imposed by a municipal court against a person under the age of 17 years who violates the laws pertaining to pedestrians and bicycles.

Under this bill, a person under 17 years of age who violates the laws pertaining to pedestrians and bicycles may receive a warning from a law enforcement officer that a violation has been committed or may be fined not more than \$10.00. The assessment of penalty points against that person is prohibited by the bill.

The bill permits a person under 17 years of age who was convicted on or after January 1, 1983 of violating the laws pertaining to pedestrians and bicycles to petition the sentencing court for a reduction of the penalty which was imposed. A court would be required to reduce a penalty unless, for good cause shown, the court determines that the original sentence was proper under the circumstances.

SENATE LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO

**SENATE, No. 653**

**STATE OF NEW JERSEY**

DATED: JANUARY 30, 1984

Current law places juveniles who violate the laws pertaining to pedestrians and bicycles in the jurisdiction of the municipal court. Consequently, these juveniles are subject to the same penalties as adults who commit the same violations: fines as high as \$50.00 plus court costs, assessment of penalty points, and even imprisonment.

Senate Bill No. 653 is intended to correct some of the problems resulting from the municipal court's having jurisdiction over these cases by lowering the penalties that can be imposed upon a juvenile under the age of 17 who violates the laws pertaining to pedestrians and bicycles.

*Section 1* of the bill states that a juvenile who violates the laws pertaining to pedestrians and bicycles may be warned of the violation by a police officer or may be subject to a fine not to exceed \$10.00. This section also prohibits the assessment of penalty points.

*Section 2* of the bill permits any juvenile convicted on or after January 1, 1983 of violating the laws pertaining to bicycles or pedestrians to petition the sentencing court for a reduction of the penalty that was imposed, in accordance with the lower penalties contained in section 1 of the bill. The court would be required to reduce the sentence unless, for good cause shown, it was determined that the original sentence was proper under the circumstances.



# OFFICE OF THE GOVERNOR

## NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT  
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Release: THURSDAY, JULY 19, 1984

Governor Thomas H. Kean has signed legislation which amends the law governing penalties for pedestrian and bicycle law violations by juveniles.

The bill, S-653, sponsored by State Senator Frank X. Graves, D-Passaic, sets a penalty of a warning or a \$10 fine for juvenile offenders who are found guilty of pedestrian or bicycle law violations. Under the terms of legislation creating the Family Court, juvenile offenders now appear in Municipal Court for those type of violations. However, an unforeseen result of this law was that juveniles were thus subjected to penalties set out in Title 39 (motor vehicle statutes). The minimum penalty for most Title 39 violations is \$50.

Although there were few convictions under the law, the theoretical result was that eight-year-olds who ran a stop sign on their bicycle would be subject to \$50 fines plus court costs in Municipal Court.

The Governor also signed the following bills:

A-1138/S-1212, sponsored by Assemblyman Robert D. Franks, R-Union and State Senator Richard J. Codey, D-Essex, which abolishes the Controlled Dangerous Substances Registry in the Department of Health and requires the State Bureau of Identification, operated by the Division of State Police, which keeps identical records, to provide CDS information to the courts, prosecutors and probation officers who request it. The CDS registry kept records of adult CDS convictions and conditional discharges.

S-39, sponsored by State Senator Laurence Weiss, D-Middlesex, which exempts the annual appropriations bill from the review process of the Capital Budgeting and Planning Commission.