

39:4-130

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:4-130; 39:3-10e

(Motor Vehicle accidents - damage for reporting increased to \$500)

LAWS OF: 1983

CHAPTER: 193

Bill No: A606

Sponsor(s): Markert and others

Date Introduced: Feb. 1, 1982

Committee: Assembly: Judiciary, 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: Nov. 29, 1982

Senate: March 30, 1983

Date of Approval: May 24, 1983

Following statements are attached if available:

Sponsor statement: Yes // (Below)

Committee statement: Assembly Yes //

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: YES ~~NO~~

Following were printed:

Reports: /// No

Hearings: /// No

Sponsors' statement:

This bill increases the damage threshold for reportable motor vehicular accidents from \$200.00 to \$500.00. The amount was last increased in 1967 from \$100.00 to \$200.00. Since 1967 inflation has eroded the value of the dollar to approximately \$0.36 in 1981. This bill will adjust the current reportable amount to the 1981 dollar value level.

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ASSEMBLY, No. 606

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Assemblyman MARKERT, Assemblywoman WRIGHT, Assemblymen SCHUBER, KOSCO and LACORTE

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT concerning the required reporting of certain motor vehicle accidents and amending R. S. 39:4-130 and P. L. 1979, c. 136.

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

1 1. R. S. 39:4-130 is amended to read as follows:

2 39:4-130. The driver of a vehicle or street car involved in an
3 accident resulting in injury to or death of any person, or damage
4 to property of any one person in excess of **[\$200.00]** *\$500.00* shall by
5 the quickest means of communications give notice of such accident to
6 the local police department or to the nearest office of the county
7 police of the county or of the State Police, and in addition shall
8 within ***[5]*** **10** days after such accident forward a written re-
9 port of such accident to the division on forms furnished by it. Such
10 written reports shall contain sufficiently detailed information with
11 reference to a motor vehicle accident, including the cause, the con-
12 ditions then existing, the persons and vehicles involved and such
13 information as may be necessary to enable the director to determine
14 whether the requirements for the deposit of security required by
15 law are inapplicable by reason of the existence of insurance or other
16 circumstances. The director may rely upon the accuracy of the in-
17 formation contained in any such report, unless he has reason to be-
18 lieve that the report is erroneous. The division may require opera-
19 tors involved in accidents to file supplemental reports of accidents
20 upon forms furnished by it when in the opinion of the division, the
21 original report is insufficient. The reports shall be without preju-

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 amendments adopted September 20, 1982.**

22 dice, shall be for the information of the division, and shall not be
 23 open to public inspection. The fact that the reports have been so
 24 made shall be admissible in evidence solely to prove a compliance
 25 with this section, but no report or any part thereof or statement
 26 contained therein shall be admissible in evidence for any other pur-
 27 pose in any proceeding or action arising out of the accident.

28 Whenever the driver of a vehicle is physically incapable of giving
 29 immediate notice or making a written report of an accident as
 30 required in this section and there was another occupant in the
 31 vehicle at the time of the accident capable of giving notice or
 32 making a report, such occupant shall make or cause to be made
 33 said notice or report not made by the driver.

34 Whenever the driver is physically incapable of making a written
 35 report of an accident as required by this section and such driver
 36 is not the owner of the vehicle, then the owner of the vehicle in-
 37 volved in such accident shall make such report not made by the
 38 driver.

38A **A written report of an accident shall not be required by this sec-*
 38B *tion if a law enforcement officer submits a written report of the*
 38C *accident to the division pursuant to R. S. 39:4-131.**

39 Any person who violates this section shall be punished as pro-
 40 vided in subsection (b) of section 39:4-129 of the Revised Statutes.

41 The director may revoke or suspend the operator's license priv-
 42 ilege and registration privilege of a person who violates this section.

1 2. Section 1 of P. L. 1979, c. 136 (C. 39:3-10e) is amended to read
 2 as follows:

3 1. The holder of any motor vehicle driver's license who is
 4 involved, within any 6-month period, in two or more motor vehicle
 5 accidents resulting in death or in personal injury or damage to
 6 property of any one person in excess of ~~[\$200.00]~~ \$500.00 required
 7 to be reported to police pursuant to R. S. 39:4-130, and against
 8 whom there has been assessed motor vehicle points for each such
 9 accident, shall on notice to be given by the Division of Motor
 10 Vehicles, be required to submit to reexamination and successful
 11 passage of an examination of his ability as an operator and a test
 12 of his vision, by the division or by any licensed optometrist or
 13 ophthalmologist.

14 Failure to pass the examination or test required by this act shall
 15 be justification for the revocation and refusal to renew the holder's
 16 driver license.

1 3. This act shall take effect immediately.

ASSEMBLY, No. 606

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Assemblyman MARKERT, Assemblywoman WRIGHT, Assemblymen SCHUBER, KOSCO and LACORTE

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT concerning the required reporting of certain motor vehicle accidents and amending R. S. 39:4-130 and P. L. 1979, c. 136.

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3 accident resulting in injury to or death of any person, or damage
4 to property of any one person in excess of **[\$200.00]** \$500.00 shall by
5 the quickest means of communications give notice of such accident to
6 the local police department or to the nearest office of the county
7 police of the county or of the State Police, and in addition shall
8 within 5 days after such accident forward a written report of such
9 accident to the division on forms furnished by it. Such written re-
10 ports shall contain sufficiently detailed information with reference
11 to a motor vehicle accident, including the cause, the conditions then
12 existing, the persons and vehicles involved and such information
13 as may be necessary to enable the director to determine whether the
14 requirements for the deposit of security required by law are in-
15 applicable by reason of the existence of insurance or other circum-
16 stances. The director may rely upon the accuracy of the infor-
17 mation contained in any such report, unless he has reason to believe
18 that the report is erroneous. The division may require operators
19 involved in accidents to file supplemental reports of accidents upon
20 forms furnished by it when in the opinion of the division, the orig-
21 inal report is insufficient. The reports shall be without prejudice,
22 shall be for the information of the division, and shall not be open
23 to public inspection. The fact that the reports have been so made
24 shall be admissible in evidence solely to prove a compliance with
25 this section, but no report or any part thereof or statement con-

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

26 tained therein shall be admissible in evidence for any other purpose
27 in any proceeding or action arising out of the accident.

28 Whenever the driver of a vehicle is physically incapable of giving
29 immediate notice or making a written report of an accident as
30 required in this section and there was another occupant in the
31 vehicle at the time of the accident capable of giving notice or
32 making a report, such occupant shall make or cause to be made
33 said notice or report not made by the driver.

34 Whenever the driver is physically incapable of making a written
35 report of an accident as required by this section and such driver
36 is not the owner of the vehicle, then the owner of the vehicle in-
37 volved in such accident shall make such report not made by the
38 driver.

39 Any person who violates this section shall be punished as pro-
40 vided in subsection (b) of section 39:4-129 of the Revised Statutes.

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7 to be reported to police pursuant to R. S. 39:4-130, and against
8 whom there has been assessed motor vehicle points for each such
9 accident, shall on notice to be given by the Division of Motor
10 Vehicles, be required to submit to reexamination and successful
11 passage of an examination of his ability as an operator and a test
12 of his vision, by the division or by any licensed optometrist or
13 ophthalmologist.

14 Failure to pass the examination or test required by this act shall
15 be justification for the revocation and refusal to renew the holder's
16 driver license.

1 3. This act shall take effect immediately.

STATEMENT

This bill increases the damage threshold for reportable motor
vehicular accidents from \$200.00 to \$500.00. The amount was last
increased in 1967 from \$100.00 to \$200.00. Since 1967 inflation has
eroded the value of the dollar to approximately \$0.36 in 1981.
This bill will adjust the current reportable amount to the 1981
dollar value level.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 606

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1982

This bill increases the damage threshold for reportable motor vehicular accidents from \$200.00 to \$500.00. The amount was last increased in 1967 from \$100.00 to \$200.00. Because of inflation since 1967 adjustment of the current reportable amount is necessary.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 606

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STATE OF NEW JERSEY

DATED: JANUARY 24, 1983

The purpose of this bill is to amend R. S. 39:4-130 in order to raise the property damage threshold at which a driver must report a motor vehicle accident from \$200.00 to \$500.00. The threshold has been set at \$200.00 since 1967, when it was increased from \$100.00.

The bill also would amend P. L. 1979, c. 136 (C. 39:3-10e), which requires a driver to undergo reexamination of his vision and his ability to operate a vehicle when he is involved, within any six-month period, in two or more motor vehicle accidents in which a certain damage threshold was exceeded. The bill would raise that threshold from \$200.00 to \$500.00. This threshold has been set at \$200.00 since 1979 when the statute was enacted.

Amendments to the bill adopted by the Assembly would give a driver 10 days rather than five days from the day of the accident to forward his accident report to the Division of Motor Vehicles. The Assembly also amended the bill to eliminate the requirement that the driver file an accident report with the division, if a law enforcement officer submits a written report of the accident pursuant to R. S. 39:4-131. R. S. 39:4-131 requires that a law enforcement officer file a report with the division whenever he investigates a motor vehicle accident. The Division of Motor Vehicles suggested this amendment in order to eliminate duplication of paperwork. The division was receiving more than one accident report for some accidents.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: CARL GOLDEN

TUESDAY, MAY 24, 1983

Governor Thomas H. Kean today signed legislation to increase to \$500 the amount of damages required for a motor vehicle accident to be reported to police.

The current damage threshold for reportable accidents is \$200. The bill also eliminates the requirement that persons involved in an accident submit a written report if a report has been submitted by a police officer.

The legislation, A-606, was sponsored by Assemblyman John Markert, R-Bergen.

Kean also signed A-1613, sponsored by Assemblyman Jimmy Zangari, D-Essex, which extends the permissible length of contracts for the leasing or servicing of electronic communications equipment to five years, from the current one year, and to permit contracts on elevator maintenance to extend to three years.

The Governor also signed A-1109, sponsored by Assemblyman Arthur Albohn, R-Morris, which establishes a procedure by which municipalities can acquire abandoned burial grounds for the purpose of restoring, maintaining and preserving them.

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