

2A:82-10.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:82-10.1

(Criminal action - evidence of ownership of motor vehicle)

LAWS OF: 1983

CHAPTER: 213

Bill No: S1438

Sponsor(s): DiFrancesco and Orechio

Date Introduced: May 24, 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: April 25, 1983

Senate: Nov. 8, 1982

Date of Approval: June 15, 1983

Following statements are attached if available:

Sponsor statement: Yes // (Below)

Committee statement: Assembly /// No

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

Sponsors' statement:

This bill permits the introduction of the certificate of ownership of a motor vehicle in criminal actions involving motor vehicles as evidence of ownership and unauthorized use or possession.

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6-15-83

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SENATE, No. 1438

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1982

By Senators DiFRANCESCO and ORECHIO

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning proof of ownership of motor vehicles in
criminal proceedings.

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

1 1. In any criminal proceeding in which ownership, possession,
2 or use of a motor vehicle is an issue, a certified copy of the certifi-
3 cate of ownership on file with the Director of the Division of Motor
4 Vehicles or with the official custodian of documents certifying
5 ownership of a motor vehicle in another state shall be admissible
6 in evidence as prima facie proof of ownership of the motor
7 vehicle*.* **[and that possession or use of the motor vehicle by a**
8 **person not named in the certificate was without the consent or**
9 **authority of the owner.**

10 Upon the introduction of evidence that the lawful owner of the
11 motor vehicle is one not named in the certificate of ownership or
12 that use or possession was with the consent or authority of the
13 owner, a continuance shall be granted upon the request of any
14 party for such time as the court determines is reasonably required
15 to enable the owner of the vehicle to be brought into court to
16 testify.]*

1 2. This act shall take effect immediately.

**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 April 11, 1983.**

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

SENATE, No. 1438

STATE OF NEW JERSEY

DATED: AUGUST 12, 1982

The purpose of this bill is to permit certified copies of certificates of ownership of motor vehicles to be introduced in evidence in criminal proceedings in which ownership, possession, or use of a motor vehicle is an issue. The certified copies would be considered prima facie proof of ownership of the motor vehicle and prima facie proof that possession or use of the motor vehicle by a person not named in the certificate occurred without the consent of the owner.

If evidence were introduced indicating that the lawful owner was not the person named in the certificate or that use or possession of the vehicle occurred with the consent of the owner, a continuance would be granted upon the request of any party to enable the owner of the vehicle to appear in court to testify.

The bill is intended to prevent the dismissal of cases in which an owner does not appear when necessary. Often, the defendant repeatedly postpones the case until the owner fails to show up.