

39:3-15

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:3-15 (Trucks--registered in another state-  
used in New Jersey-increases fines)

LAWS 1982 CHAPTER 217

Bill No. A878

Sponsor(s) Ogden and others

Date Introduced February 8, 1982

Committee: Assembly -----

Senate Transportation and Communications

Amended during passage Yes ~~XX~~ Amendments during passage  
devoted by asterisks

Date of Passage: Assembly February 22, 1982

Senate November 8, 1982

Date of approval December 29, 1982

Following statements are attached if available:

Sponsor statement	Yes	<del>XX</del>
Committee Statement: Assembly	<del>XX</del>	No
Senate	Yes	<del>XX</del>
Fiscal Note	<del>XX</del>	No
Veto Message	<del>XX</del>	No
Message on signing	Yes	<del>XX</del>

Following were printed:

Reports	<del>XX</del>	No
Hearings	<del>XX</del>	No

6/22/81

1303

217  
12-29-82

[OFFICIAL COPY REPRINT]  
**ASSEMBLY, No. 878**

**STATE OF NEW JERSEY**

INTRODUCED FEBRUARY 8, 1982

By Assemblywoman OGDEN, Assemblymen FRANKS, ROD,  
HENDRICKSON and WOLF

(Without Reference)

AN ACT concerning operation of motor vehicles belonging to non-  
residents and amending R. S. 39:3-15.

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

1 1. R. S. 39:3-15 is amended to read as follows:

2 39:3-15. A nonresident owner of any motor vehicle or motor-  
3 drawn vehicle which has been registered in accordance with the laws  
4 respecting the registration of motor vehicles of the jurisdiction in  
5 which the nonresident resides, and which has conspicuously dis-  
6 played thereon the registration number thereof, may, without com-  
7 plying with the provisions of this subtitle with respect to registra-  
8 tion and equipment, operate or permit the operation of such vehicle  
9 in this State during such portion of the entire year as the free  
10 operation of a similar type of vehicle belonging to a resident of this  
11 State and registered in compliance with the laws of this State, and  
12 whose registration number is conspicuously displayed thereon, is  
13 permitted in the jurisdiction of the nonresident; provided that such  
14 vehicle is not:

15 (a) Used for the transportation of persons for hire, compensa-  
16 tion or profit, or

17 (b) Regularly operated in carrying on business within this State.

18 (c) Designed, used or maintained primarily for the transporta-  
19 tion of property.

20 The foregoing shall not apply to a vehicle leased by an owner  
21 engaged in the business of leasing such vehicles.

**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 committee amendments adopted May 10, 1982.**

22 Any vehicle properly registered in, and having conspicuously dis-  
 23 played on it the registration number issued by, another jurisdiction  
 24 may be operated on the highways of this State without complying  
 25 with the provisions of this subtitle with respect to registration  
 26 during such portion of the entire year as the director shall deter-  
 27 mine to be the normal period of seasonal employment in agri-  
 28 cultural pursuits, provided a special permit is obtained from the  
 29 director for such operation which may be issued to any applicant  
 30 who satisfies the director that he is engaged in such employment,  
 31 and upon the payment of a fee of \$1.00.

32 Except as otherwise provided by reciprocity agreement or ar-  
 33 rangement entered into by the director, or by a declaration issued  
 34 by him, the privilege of operation in this State of motor vehicles or  
 35 motor-drawn vehicles belonging to nonresidents extended by this  
 36 act shall not permit the intrastate operation of any truck, road  
 37 tractor, truck tractor or trailer and semitrailer of the commercial  
 38 type, except that a trailer or semitrailer duly registered in another  
 39 jurisdiction is extended the privilege of intrastate operation when  
 40 being drawn by a truck, road tractor, or truck tractor registered in  
 41 accordance with the provisions of Revised Statutes 39:3-20 and pro-  
 42 vided that the gross weight of the combination of vehicles, including  
 43 load, does not exceed the maximum weight allowed by the registra-  
 44 tion certificate of the drawing vehicle registered in this State. The  
 45 owner or driver of any vehicle used in intrastate operations not  
 46 permitted by this section shall be [deemed to be in violation of  
 47 Revised Statutes 39:3-4 and subject to the penalties prescribed in  
 48 said section] *subject to \* [a fine equal to the fee required by R. S.*  
 49 *39:3-20 to register that vehicle in this State] \* \* fines in accordance*  
 50 *with the following schedule:*

51 *a. a 2-axle truck, a fine of \$288.00;*

52 *b. a 3-axle truck, a fine of \$381.50;*

53 *c. a 3-axle combination of vehicles, a fine of \$475.00;*

54 *d. a combination of vehicles with more than 3 axles, a fine of*  
 55 *\$687.50; and*

56 *e. a commercial motor vehicle having 3 or more axles and a gross*  
 57 *weight over 40,000 pounds but not exceeding 70,000 pounds, the*  
 58 *owner or driver of which is actually engaged in construction work*  
 59 *or in the business of supplying material, transporting material,*  
 60 *or using such vehicle for construction work, a fine of \$1,120.00\*.*

1 2. This act shall take effect immediately.

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#### STATEMENT

The purpose of this bill is to increase the fine levied against owners and operators of trucks registered in another state but used in intrastate commerce within New Jersey.

At the present time, the maximum fine for this violation is \$100.00, as established by R. S. 39:3-4. This bill would subject the owner or operator of an illegally registered truck to a fine equal to the registration fee required for legal operation of that vehicle in this State.

The increased penalty is needed to strengthen deterrence against the use of foreign-registered trucks in New Jersey's intrastate commerce.

*A 878 (1982)*

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STATEMENT TO  
**ASSEMBLY, No. 878**  
with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 10, 1982

This amended bill provides for a change in the amount of the fine levied against owners and drivers of trucks registered in another jurisdiction which are used in intrastate commerce within New Jersey.

Currently, the maximum fine is \$100.00, as established by R. S. 39:3-4. The amendments to the bill would establish a schedule of fines ranging from \$288.00 for the illegal operation of an out-of-State 2-axle truck to \$1,120.00 for the illegal operation of an out-of-state commercial vehicle having 3 or more axles, and a gross weight of from 40,000 to 70,000 pounds, which is engaged in construction work.

A-1804, sponsored by Assemblyman Robert J. Meyer, R-Burlington, which validates bond referenda which did not use the most current form for absentee ballots because of recent changes in the Absentee Voting Law, providing that no action, suit or proceeding has been brought to protest their validity.

A-393, sponsored by Assemblyman (now Senator) William L. Gormley, R-Atlantic, which upgrades the offense of selling obscene material to a person 18 years old or older from a disorderly persons offense to a fourth degree crime.

A-834, sponsored by Assemblyman Walter M.D. Kern, R-Bergen, which allows fingerprinting of persons charged with shoplifting or convicted of any other indictable offense where identity is in question. Proper identification of shoplifters is needed because the law provides for graduated sentences for subsequent offenses.

A-878, sponsored by Assemblywoman Maureen B. Ogden, R-Essex, which increases the fines levied against owners and operators of trucks registered in another state but used in intrastate commerce in New Jersey. The fine for illegally registered trucks is \$100. This bill increases the fine to an amount equal to the cost of registering the truck in New Jersey, thus removing incentives for registering a truck in another state with lower registration fees.

S-1410, sponsored by Senator Walter E. Foran, R-Hunterdon, which establishes a registration system for reusable milk cases and sets a \$500 fine for violation of the law. Milk processors contend that loss of reusable plastic milk cases, which cost about \$5 each, add about 2.25 cents to the price of a gallon of milk. This bill establishes a registration system whereby processors can file their name and identifying mark with the Department of Agriculture. The bill makes possession of the cases without the written consent of the owner prima facie evidence of a violation of this law. Milk industry analysis estimate the loss of plastic cases costs the industry more than \$100 million per year nationally. The cases are used for everything

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